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## STUDIES IN THE SOCIAL SCIENCES

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VOLUME VIII

NUMBER 1

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# THE AMERICAN EMBARGO 1807-1809

BY

WALTER WILSON JENNINGS

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# UNIVERSITY OF IOWA STUDIES IN THE SOCIAL SCIENCES

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VOLUME VIII

NUMBER 1

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## THE AMERICAN EMBARGO 1807-1809

WITH PARTICULAR REFERENCE TO ITS EFFECT  
ON INDUSTRY

BY

WALTER WILSON JENNINGS, Ph. D.

Assistant Professor of Commerce

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PUBLISHED BY THE UNIVERSITY, IOWA CITY





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## EDITOR'S INTRODUCTION

The instinct of the American people has always been averse to war. Whenever a serious national crisis provocative of war has threatened and diplomatic methods have failed, the tendency of the American people has been to resort to measures of commercial coercion rather than to armed force. The philosophy underlying such action is clear enough: since the most fruitful cause of oppressive conduct among nations is the desire for economic advantage in some form or other, the remedy of a peaceful people is to be found in the application of an economic counter-irritant more powerful than the original exciting cause. If there be a fallacy in this position, it is dual in character. In the first place, the economic weapon is always two-edged and, in a world closely knit together by commercial and financial ties, may inflict more injury upon the people wielding it than upon the power against which it is directed. Secondly, it is based upon too naïve an assumption. Granting that the roots of oppression are generally economic in character, any effort to combat that oppression by economic means is likely to arouse nationalistic feelings and instincts that entirely transform the nature of the dispute. Thus economic coercion loses its efficacy as a pacific weapon and leads inevitably to the appeal to arms that it was designed to prevent.

Americans first used economic coercion on a widespread scale in the ten years' controversy preceding the outbreak of the War for Independence. The non-importation and non-consumption regulations of the colonists during the Grenville and Townshend acts proved successful in bringing about modifications of British policy; but the more comprehensive boycott adopted in the later years of the controversy touched deeply British national pride and helped to precipitate the war. In the seventeen-nineties Jefferson and his group sought, without result, to persuade the majority party to revive the boycott for use against Great Britain prior to the

Jay treaty. When Jefferson's party got into power in 1801, it was inevitable that he should bethink himself of non-intercourse as the surest and sanest way out of the difficulties created for the United States by the Napoleonic wars. Professor Jennings in the present monograph confines himself to a study of the embargo, the first and most drastic form of commercial pressure put into operation by the Jefferson administration, and leaves the examination of Madison's coercive measures to later students.

The outbreak of the second war with Great Britain in 1812 did not entirely destroy the faith of the American people in the efficacy of economic non-intercourse as a substitute for war. As the Civil War approached, no measure of relief was perhaps more favorably discussed by southern public men than the adoption of non-intercourse against the manufacturing North; and indeed blacklists of so-called "abolition houses" of the North were published in the southern press although no widespread or concerted action was taken against them. Again, as the World War threatened to draw the United States into its vortex, the time-honored method of coercion was revived in the public prints and served for a time to confuse and complicate the discussions during that critical period. It is worthy of note that one outcome of that great conflict has been to give to this oft-rejected measure international sanction by providing, in the Covenant of the League of Nations, for its employment against recalcitrant members of the League.

In the present study Professor Jennings undertakes to set forth the history of the embargo of Jefferson's time with all its surrounding circumstances. His especial contribution is the searching examination he makes into the economic effects of the embargo and his discussion of the reaction of American public opinion to its operation.

ARTHUR M. SCHLESINGER.

## AUTHOR'S PREFACE

The material for this monograph which was first suggested to the author by Professor E. L. Bogart, now head of the Economics Department at the University of Illinois, was obtained largely from the libraries of the universities of Illinois, Wisconsin, and Iowa, and the writer is greatly indebted to the librarians of those institutions for their courteous treatment and help. The valuable newspaper collection at the University of Wisconsin has been of especial service. The use of this material was made possible by the research fund which Carl E. Seashore, Dean of the Graduate School of the University of Iowa, accords to students and teachers who are actively engaged in research work. Miss Jane E. Roberts, librarian of the University of Iowa, has gone to considerable trouble in borrowing certain newspapers from the Library of the History Department of Iowa at Des Moines.

As the work progressed the manuscript grew very bulky; hence it became necessary to summarize three of the original chapters, containing over one hundred typed pages, into ten or twenty pages which were added to the chapter on "The Embargo Laws." These three chapters were originally entitled "Diplomacy of the Embargo," "Arguments on the Embargo in the First Session of Congress, 1807-1808," and "Arguments on the Embargo in the Second Session of Congress till the Passage of the Enforcement Act, 1808-1809."

Professor C. M. Thompson, Dean of the College of Commerce, University of Illinois, has gone carefully over the work of his former pupil and has made valuable suggestions. Professor P. S. Peirce, formerly of the Economics Department of this institution, has also read and criticized the manuscript with care. Professor C. M. Case, of the Sociology Department, Professor Jacob Van der Zee, of the Political Science Department, and Professor A. M. Schlesinger, head of the History Department, have read the manuscript with great care and have offered constructive criticism. The writer wishes to

acknowledge a special debt to Professor Schlesinger for his valuable suggestions. The merits of the work, if it has any, are largely due to those who have written and advised; its defects are due to the author alone.

WALTER W. JENNINGS.

Iowa City, Iowa, May 20, 1921.



# CHAPTER I

## INTRODUCTION

During the troubled days following the Revolutionary War and the winning of independence, American industry remained in an unsettled condition. Few powers cared to make treaties with a country which was a single nation one day and thirteen nations on the next. After the adoption of the Constitution, however, conditions grew more stable, industry improved, and the new republic began to command respect abroad.

In 1793, another phase of the life and death struggle between England and France began, and continued, with some intermissions, until Napoleon's overthrow in 1815. During this period the commerce of the United States increased by leaps and bounds. Inasmuch as England's naval superiority soon gave her control of the sea, France and other powers at odds with England had to depend on neutrals to handle their trade. The various products of the French, Spanish and Dutch East and West Indies could find their way to Europe only under a neutral flag, or at great risk and expense. The position of the United States with regard to the West Indies and the long established trade with them naturally threw a large proportion of their commerce into the hands of the new republic. Many Americans also engaged in the more distant trade of the East Indies and other parts of the world. Sugar, coffee, spirits, cocoa, pimento, indigo, pepper, and spices of all kinds were carried directly to Europe or were first brought to the United States and then re-exported to Europe.<sup>1</sup>

To this trade Great Britain objected, for orders in council affecting neutral trade began to be issued as early as 1789. With the renewed outbreak of the war in 1803, following the temporary peace of Amiens, however, her objections grew stronger. In the cases of the *Immanuel* and *Polly*, Sir William

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<sup>1</sup> Pitkin, Timothy, *Statistical View of the Commerce of the United States of America*, pp. 165, 166.

Scott had laid down the general principle that in spite of the Rule of 1756 which declared that "when a nation closed its colonies to other nations in time of peace, it had no right to open them in time of war, and that if it did, all such commerce was liable to seizure," goods might be carried between the colony and the mother country if the voyage was broken by landing the goods in the United States and passing them through the custom houses. In the case of the *Essex*, July, 1805, Scott, however, decided that the intention of the shipper must be taken into consideration. If that intention was to carry the goods from the mother country to the colony or from the colony to the mother country, he held that landing the goods in a neutral port, satisfying custom-house formalities, or even thoroughly repairing the vessel while there, made absolutely no difference. If the intention was to carry on a trade denied during peace, the cargo, he said, was good prize.<sup>2</sup>

Such a contention, if persisted in, would wreck the American trade. This trade which had grown rapidly since 1803 reached its high point in 1807. It had increased our tonnage, filled the pockets of individuals, and aided the public treasury. In the years 1805, 1806, and 1807 the value of the exports of domestic produce and manufacture was \$134,590,552, or an average of \$44,863,517 per year; during the same years the exports of foreign produce and manufacture amounted to \$173,105,813 or an average of \$57,701,937 per year. Re-exports thus exceeded domestic exports by \$38,515,261 for the three years or \$12,838,420 per year.<sup>3</sup>

In each of the years 1806 and 1807 more than one hundred and forty-three million pounds of sugar were exported from the United States. Nearly all this sugar was imported and then re-exported in American vessels. The tonnage employed was approximately seventy thousand, and the freight charges on the cargoes in the two different voyages amounted to probably three or four million dollars. The largest part of the

<sup>2</sup> Channing, E., *The Jeffersonian System*, pp. 197, 198. The interpretation of the Rule of 1756 is that given by Fish, C. R. in *American Diplomacy*, p. 112. The explanation of the judicial decisions, however, is taken from Professor Channing.

<sup>3</sup> Pitkin, T., *op. cit.*, 166.

sugar was sent to Holland, France, Italy, Spain, and Hamburg and Bremen.

Another important re-export was coffee. The amount exported, on an average for the years 1804, 1805, 1806, and 1807 was over forty-five million pounds. The principal destinations to which it was sent were Holland, France, Italy, Hamburg and Bremen, and Great Britain. For the years 1805, 1806, and 1807, the annual quantity of wine exported was 3,423,485 gallons; of spirits, 1,600,301 gallons; of tea, 2,151,385 pounds; of cocoa, 5,937,654 pounds; and of pepper, 5,292,791 pounds.

That this carrying trade added much to our national wealth is evident. Shipbuilding was encouraged; private fortunes were built; the public coffers were filled. Many of the goods and other articles were not entitled to a "drawback," or a return of part or all of the duties paid, because the owners had not complied with the law. The duties collected on articles re-exported, without the "drawback," and naturally not paid by consumers in the United States amounted to \$1,531,618 in 1805, \$1,297,535 in 1806, and \$1,393,877 in 1807. The total for the three years was thus \$4,223,030 or over \$1,407,676 per year. A duty of three and a half per cent retained on the "drawbacks" amounted to \$328,144.79 in 1805, \$334,247.39 in 1806, and \$368,275.50 in 1807. These figures added to the previous ones will give a total of \$5,253,697.68 or \$1,751,232.56 per year contributed to the public treasury and not paid for by the people of the United States, or an amount equal to one ninth of all duties collected or secured during the period.\*

A more detailed study of the trade of the United States with some of the leading countries of the world for the years 1805, 1806, and 1807 may be of interest. The value of the exports of products sent to Great Britain and Ireland was, for domestic produce, \$13,939,663 in 1805; \$12,737,913 in 1806; and \$21,122,332 in 1807; the corresponding figures for the foreign produce were \$1,472,600, \$2,855,583, and \$2,027,650. The resulting annual totals were \$15,412,263, \$15,593,496, and \$23,149,982. The grand total for the three years was \$54,155,-

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\* Pitkin, T., *op. cit.*, pp. 168-175.

741 or over \$18,051,913 per year. The principal articles exported to Great Britain and Ireland were: cotton, tobacco, rice, sometimes wheat and flour, flax seed, naval stores such as pitch, tar, and turpentine, timber and planks, staves and heading, pot and pearl ashes, and whale and spermaceti oil. Our importations from Great Britain and Ireland were largely manufactured goods of various kinds including wool, cotton, silk, flax, brass, copper, earthen ware, haberdashery, iron, steel, lead, hats, salt, tin, pewter, coal, beer, ale, and porter. British produce and manufacture exported to the United States amounted to £11,716,620 in 1806 and £11,119,048 in 1807. Besides, in these years foreign merchandise was exported from Great Britain to the United States to the value of £458,875 and £253,822. The totals were thus £12,175,495 and £11,372,870. The imports and exports of the United States were greater in 1806 and 1807 than in any former year. Probably about one-third of the goods imported from Great Britain, especially in 1806, was exported again to the West Indies, South America, or elsewhere. Since the value of exports was determined by the price of the articles at the place of exportation, the balance of trade against us was not so great as appeared. Many of the articles were bulky and were carried by our own vessels. Thus in 1807, 489 American ships with a tonnage of 123,545 cleared from Liverpool. The cost of transportation and a reasonable profit to the shipper, then estimated at about twenty per cent, should be added to the value of the exports. The balance was paid by the trade with the West Indies and other parts of the world.<sup>5</sup>

A branch of the British trade that deserves particular mention is that with the British West Indies. During the colonial period this trade had been particularly important. In fact, the Sugar Act of 1764 which had well-nigh closed the trade and shut off the specie which we had used in paying for British manufactured goods coupled with the prohibition of the issue of paper money, was probably a more important cause of the Revolutionary War than the Stamp Act of 1765. After the winning of independence further restrictions were

<sup>5</sup> *Ibid.*, pp. 196-208.

placed on the British West India trade, but nevertheless large quantities of our lumber, fish, flour, beef, pork, horses, live cattle, Indian corn and meal, peas, beans, etc. found their way from time to time to the British West Indies. Probably half of our lumber exports went to the British West Indies in 1805, 1806, and 1807. Staves and heading to the number of 15,408,000 were sent there in 1805, 20,645,000 in 1806, and 16,800,000 in 1807. In the same years nearly twice as many shingles were sent there as to all other places: 41,784,000 in 1805, 52,506,000 in 1806, and 43,501,000 in 1807. Approximately one half our boards and planks were also sent to the British West Indies. The figures were 36,975,000 in 1805, 42,096,000 in 1806, and 36,205,000 in 1807.<sup>6</sup> Large quantities of fish and flour, but a much smaller proportion of the totals, were also exported to the British West Indies. In 1807, 251,706 barrels of flour were exported to these islands. The value of the flour, bread and biseuit, exported, 1802-1804, averaged about two million dollars yearly; of beef, pork, bacon, and lard eight hundred thousand. The quantity of rum imported during the same period was about four million gallons, valued at two and one-half million dollars. The number of gallons imported during 1805-1807 averaged about 4,614,000 yearly. The value of our exports to the British West Indies averaged \$6,056,259.33, 1802-1804; our imports \$4,572,979, and our total commerce \$10,629,238.33. Since our own ships were employed in this trade, the profits and advantages went largely to American merchants.<sup>7</sup>

Many British writers inclined to the view that their British West Indies could be largely supplied from their North American colonies, but they were not so supplied previous to the American embargo. For the years 1804-1806, the average amount furnished, according to Pitkin, was:

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<sup>6</sup> *Ibid.*, pp. 95-99.

<sup>7</sup> *Ibid.*, pp. 214-217.



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	From the U. S.	British Provinces	Great Britain and Ireland	Other Countries
Flour, meal, and bread (cwt.)	463,505	2,789	34,495	7,667
Corn, oats, peas, and beans (bu.)	406,189	3,276	183,168	4,432
Rice (bbls.)	11,740	6	50	139
Pork and beef (bbls.)	54,114	1,642	54,571	385
Fish, dry cod, etc. (cwt.)	138,484	101,692	3,302	3,298
Fish, salt or pickled (bbls.)	38,171	27,800	57,698	991
Butter (firkins)	8,050	204	49,818	80
Cows and oxen	4,145	3	8	1,123
Sheep and hogs	3,484	44		314
Oak and pine boards and timber (ft.)	39,022,997	942,122		101,330
Staves (pieces)	17,605,687	525,026		264,500
Shingles	43,051,704	332,925		13,000 <sup>s</sup>

A careful examination of the above table shows that in only three items, the exportation of butter, salt or pickled fish, and pork and beef, did Great Britain and Ireland lead the United States. In the first case her exports were over six times as great, in the second about fifty per cent more, but in the third case less than one per cent greater. In all other cases, the imports of the British West Indies from the United States led all other imports combined by substantial margins. Thus over nine-tenths of the flour, meal and bread came from the United States, two-thirds of the corn, oats, peas, and beans, practically all of the rice, three-fourths of the cows and oxen, over ninety per cent of the sheep and hogs, and practically all of the lumber.

The trade of the United States with France and her dependencies was important during this period. The principal exports were cotton, tobacco, rice, dried fish, whale and spermaceti oil, pot and pearl ashes, and naval stores of the domestic produce, and of foreign origin, sugar, coffee, teas, cocoa, pepper, and other spices. The principal imports were wines, brandies, silks, olive oil, and jewelry of various kinds. During the years 1804-1807 the average value of the exports of do-

<sup>s</sup> *Ibid.*, p. 218.



mestic produce was \$3,060,203.25, but of foreign produce it was \$8,500,979 or nearly three times as great.<sup>9</sup>

Ordinarily France imposed restrictions on foreign trade with her West India possessions. Like Great Britain she admitted all kinds of lumber, live provisions, vegetables, rice, pitch, and tar because she could not supply those articles herself. Great Britain generally excluded American beef, pork, and dried fish, but France admitted American beef and dried cod fish, though she subjected them to an additional duty of three livres on each quintal in order to encourage her own fisheries. England allowed the importation of flour, bread, biseuit, and various grains, but France, by a general law, excluded flour and all grains except Indian corn. France allowed her colonies to send only rum and molasses to the United States; Great Britain permitted not only rum and molasses, but also sugar, coffee, cocoa nuts, ginger, and pimentos to come. The latter, in order to increase her naval supremacy, confined both imports and exports to her own vessels. Since the former had few ships, she allowed the products to go in American vessels. Her policy was to monopolize the articles themselves; that of Great Britain was to monopolize the carriage of the articles. The former reserved the most valuable products for consumption at home and to augment the national wealth. During the wars many restrictions, particularly those of France, were not enforced. The average value of the American exports of domestic production to the French West Indies and American colonies, 1804-1807, was \$2,572,660 and of exports of foreign produce, \$3,316,762.25.<sup>10</sup>

The exports to Spain consisted largely of fish, flour, whale oil, rice, and tobacco of the domestic produce and of cocoa, coffee, sugar, pepper, and other spices of foreign produce. The imports from Spain were largely brandies, wines, fruits of various kinds, and salt. The exports of domestic produce averaged \$1,793,963, 1804-1807, and the exports of foreign produce \$1,890,079. It is noteworthy, however, that in 1804 the exports of domestic produce were four times as great as those of foreign produce, while in 1807 the exports of foreign

<sup>9</sup> *Ibid.*, pp. 219-223.

<sup>10</sup> *Ibid.*, pp. 223-226.

produce were three times as great as those of domestic produce. During these four years, too, the value of exports of domestic origin fell half while the exports of foreign produce increased about six fold.<sup>11</sup>

During the European wars our trade with the Spanish West Indies and the American colonies increased greatly. Our shippers carried the products of the Spanish islands, and, in large part, supplied those islands with the various manufactures of Europe. Our exports of domestic produce to the Spanish West Indies and American colonies averaged \$2,348,-354.50 during 1804-1807; the exports of foreign produce averaged \$6,102,147 for the same period. In 1804 the exports of domestic produce were nearly forty-seven per cent greater than those of foreign produce. In 1807, however, the latter were about three hundred per cent greater. During the four years the value of exports of domestic origin increased forty-three per cent; during the same period the value of exports of foreign origin increased nearly 739 per cent. Naturally American shippers made fortunes from this carrying trade.<sup>12</sup>

As a general thing the United States exported wheat, flour, corn, rice, dried fish, whale oil, soap, and staves and heading to Portugal and Madeira. She received in return wines, fruit, and salt. The exports to Portugal were small as compared with those to Spain, and unlike the latter in that the exports of articles of domestic produce exceeded in value the exports of foreign produce. The value of the former was \$1,282,169 in 1804, \$508,284 in 1805, \$920,841 in 1806, and \$829,313 in 1807; the value of exports of foreign produce for the same years was \$190,716, \$851,647, \$857,050, and \$159,173. The average was thus seventy-two per cent greater for the former, or \$885,151.75 as compared to \$514,646.50. In only one of the years, 1805, did the exports of foreign produce exceed those of domestic produce; in 1804 the latter were about six times as great and in 1807 over five times as great.<sup>13</sup>

× Trade with northern Europe was not so important as trade with southwestern Europe. Among our exports to Russia

<sup>11</sup> *Ibid.*, pp. 226-228.

<sup>12</sup> *Ibid.*, pp. 228-230.

<sup>13</sup> *Ibid.*, pp. 230, 231.

were cotton, rice, tobacco, and spirits of domestic origin, and sugar and coffee, with some pepper, tea, and cocoa of foreign origin. The exports of domestic origin were worth \$12,044 in 1805, \$3,580 in 1806, and \$78,850 in 1807; the exports of foreign origin were worth in the same years \$59,328, \$8,827, and \$366,367. The average value of the former was \$31,491.33 and of the latter \$144,840.67. Iron, hemp, cordage, duck and various kinds of hemp and flax such as drillings, diapers, broad and narrow tickings, sheetings, etc. were returned in exchange. The average amount of goods paying duties according to Russian value and including iron, hemp, flax, etc. was \$1,302,217 for 1802, 1803, and 1804. Of this amount, hemp was worth over half or \$779,473. In 1807 the amount of our imports from Russia was \$1,804,000 or about four times as great as our exports which amounted to \$445,217.<sup>14</sup>

Commerce with Sweden was small until the adoption of commercial restrictions. As in the case of Russia we bought more from Sweden than we sold her, though the discrepancy was not so great. Our principal exports were tobacco and rice; our principal import was iron. The trade with the Swedish West Indies, however, was much greater. Thus from 1795 to 1801 our exports to them were more than eleven times as great as to Sweden, and the value of our imports from them was over six times as great; the averages were six hundred and eighty-five thousand dollars and five hundred thousand. In 1807 we exported to the Swedish West Indies \$416,509 worth of domestic produce and \$911,155 worth of foreign produce. In the same year we imported 92,858 gallons of rum, 37,764 gallons of molasses, 2,752,412 pounds of sugar, and 1,705,670 pounds of coffee.<sup>15</sup>

Greater than the trade with Sweden was the trade with Denmark and Norway. The average value of the exports of the United States to the two countries from 1795 to 1801 was about six hundred thousand dollars; the imports from them for the same period averaged four hundred thousand dollars. During the years 1805, 1806, and 1807 the exports of domestic produce were worth \$435,926, \$356,595, and \$572,150 respec-

<sup>14</sup> *Ibid.*, pp. 232-235.

<sup>15</sup> *Ibid.*, pp. 235, 236.

tively; the exports of foreign produce for the same years were \$1,481,767, \$1,052,954, and \$836,468. The average of each for the three year period was \$454,890.33 and \$1,123,729.67. Cotton, tobacco, rice, and sugar were the principal exports. The trade with the Danish West Indies was even greater than the trade with Denmark itself. The average value of the exports of domestic origin, 1804-1807, was \$1,407,366; of foreign origin, \$1,025,976.25. During the four year period the exports of the former increased about fifty per cent, whereas the latter increased over one hundred and thirty-four per cent. Nevertheless, in not one of the four years did the exports of foreign produce exceed the exports of domestic produce.<sup>16</sup>

During the European wars the trade of the United States with Hamburg and Bremen, especially the former, was very great. The Elbe and Weser and other waters carried the manufactures of Germany, especially linens, from their place of origin to Hamburg, the great depot of this commerce. The products received in exchange from the United States were tobacco, rice, cotton, spirits from molasses, whale oil, pot and pearl ashes, sugar, coffee, teas, cocoa, pepper, and other spices. Until Napoleon got control of the cities the trade was valuable far beyond the imagination of most persons. For the years 1795-1801 the average value of our exports to those cities was \$11,542,625.43 and of our imports from them \$3,821,131.57. The high point came in 1799 when our exports were valued at \$17,144,400 and our imports at \$6,919,425. The total value of our exports of domestic origin for 1804-1807 was \$4,427,725 or \$1,106,931.25 per year; the total value of the exports of foreign produce during the same period was \$12,864,296, or \$3,216.074 per year. The exports of 1799 alone were thus practically equal to those of the four years, 1804-1807.<sup>17</sup>

The trade with Holland was also particularly important to the American merchants. Of course, as with other countries, restrictions of the warring powers interfered more or less, but evasion was not particularly difficult, and many a fortune was made. For the years, 1804-1807, the average value of the exports of domestic origin from the United States to Holland

<sup>16</sup> *Ibid.*, pp. 237-239.

<sup>17</sup> *Ibid.*, pp. 239-241.

was \$2,638,964.75, and of foreign origin \$13,713,551.75. The articles of domestic produce usually exported were tobacco, rice, cotton, pot and pearl ashes, whale oil, and spirits from molasses. For the years 1804-1807, 213,803,691 pounds of sugar, or 53,450,922 $\frac{3}{4}$  pounds per year, were shipped to Holland; of this amount 178,859,694 pounds, or about eighty-four per cent, was brown. During the same years the coffee exported amounted to 91,511,826 pounds, or 22,877,956 $\frac{1}{2}$  pounds per year. The usual imports from Holland were woollens, linens, spirits from grain, nails, spikes, manufactures of lead, paints, steel, cheese, glass, anchors, shot, slit and hoop iron. For the years 1802, 1803, and 1804 the average amount of goods paying ad valorem duties was \$1,110,354; in 1807 it was \$1,881,741. For these three years the amount of gin imported into the United States was 1,059,540 gallons; in 1807, it was 1,463,000 gallons. The exports usually far exceeded the imports in value; the balance was generally paid in bills of exchange on England and other parts of Europe.<sup>18</sup>

The commerce of the United States with the Dutch West Indies was less important than the trade with the mother country. The exports of domestic produce, 1804-1807, amounted to \$3,121,867 or \$780,466.75 per year; the exports of foreign produce during the same period amounted to \$1,761,001 or \$440,250.25 per year. The total exports in the first year were worth a little more than those in the other three years combined. The United States imported large quantities of coffee, sugar, pepper and other spices from the Dutch East Indies; they were paid for in money, bills of exchange, or cargoes shipped from Europe. When the Dutch were compelled to engage in the European wars, this trade was thrown into the hands of the American merchants. In 1801, it was valued at \$4,430,733. In 1804, 8,395,783 pounds of coffee valued at \$2,098,945 were imported from the Dutch East Indies and the Cape of Good Hope; in 1807, the amount imported was 8,842,568 pounds. In 1804, 4,946,284 pounds of pepper were imported; in 1807, 2,508,897 pounds.<sup>19</sup>

The trade of the United States with Italy was of some im-

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<sup>18</sup> *Ibid.*, pp. 241-243.

<sup>19</sup> *Ibid.*, pp. 243-245.



portance. The exports were dried fish, sugar, coffee, pepper, and cocoa; the imports were silks, wines, brandies, fruit, lead, and cheese. The exports for the seven years, 1795-1801, amounted to \$10,362,391; during the same period the imports amounted to \$4,925,230, or less than half as much as the exports. By far the larger part of the exports were those of foreign origin. In 1804 they were worth \$1,552,708; in 1805, \$2,320,099; in 1806, \$4,587,727; in 1807, \$5,499,722. For the same years the exports of domestic origin amounted to \$118,441, \$142,475, \$185,346, and \$250,257. The latter amounted to \$696,519 for the four years; the former, to \$13,960,256, or more than twenty times as much.<sup>20</sup>

Our trade with China began soon after the Revolutionary War. The first American vessel to engage in this trade left New York, February 22, 1784 and returned May 11, 1785. This vessel of 360 tons was small, but not for that day. It was commanded by Captain John Green and Samuel Shaw. The Americans were favorably received by the Chinese government, and thereafter our trade increased. In 1789 fifteen American vessels were at Canton. No other nation, save Great Britain, had a larger number. Our principal imports from China were teas, silks, nankeens, and China ware. Tea was the most valuable. The imports of tea, 1790-1800, amounted to 28,000,548 pounds, or an average of 2,545,504 pounds a year. Much of this, however, was re-exported. During the years 1804-1807 the amount imported was 23,721,849 pounds, the amount exported 7,673,389 pounds, and the amount consumed 16,048,460 pounds. The average value of goods paying ad valorem duties, nankeens, all silk and cotton goods, and China ware, imported from China and other Asiatic powers, 1802-1804, was about \$2,300,000; for the years 1805-1807, it was \$1,938,240. The balance of trade was decidedly against the United States, for few articles, domestic or foreign, were shipped direct from the United States to China. Payments were made, as a usual thing, in specie, or in seal-skins taken in the South Seas and furs obtained on the northwest coast of America. These were carried direct to China without being brought to the United States. The first voyage of this kind undertaken by an American was that of Captain Kendrick of

<sup>20</sup> *Ibid.*, pp. 245, 246.



Boston in 1789. High prices obtained for furs tempted others, but the hunting was overdone, and the seal soon became so scarce as to be hardly worth the pursuit.<sup>21</sup>

The total value of all the goods imported into the United States for the year ending September 30, 1807, was \$138,574,-876.84. The twelve most important articles or groups, exclusive of goods subject to advalorem duties, were:

Sugars	\$23,441,663.60
Coffee	16,470,947.08
Alcoholic liquors	15,311,132.94
Tea	5,117,706.32
Molasses	3,064,044.24
Cocoa	2,297,961.00
Hemp	2,116,605.00
Indigo	1,849,529.76
Salt	1,676,694.81
Fish	1,368,821.00
Spices	1,201,092.35
Cotton	1,047,139.70 <sup>22</sup>

In order to show more clearly the value of the export carrying trade during the early part of the nineteenth century the following table is given:

Years	Europe		Asia	
	Domestic	Foreign	Domestic	Foreign
1801	\$27,569,699	\$31,380,558	\$371,737	\$1,136,517
1802	19,904,389	23,575,108	547,386	820,423
1803	25,939,111	8,561,834	292,593	149,600
1804	23,094,946	27,468,725	546,278	830,223
1805	23,640,776	36,341,320	612,683	2,156,229
1806	24,384,020	40,267,711	514,621	1,968,860
1807	31,012,947	38,882,633	497,769	1,598,445
Years	Africa		West Indies, Am. Cont., etc.	
	Domestic	Foreign	Domestic	Foreign
1801	\$ 934,331	\$ 756,445	\$17,482,025	\$13,369,201
1802	747,544	411,855	14,982,854	10,967,585
1803	636,106	148,004	15,338,151	4,734,634
1804	1,264,737	681,499	16,561,516	7,251,150
1805	1,359,518	1,726,987	16,774,025	12,954,483
1806	1,371,475	901,916	14,983,611	17,144,759
1807	1,296,375	1,627,177	15,892,501	17,535,303 <sup>23</sup>

<sup>21</sup> *Ibid.*, pp. 246-249.

<sup>22</sup> Compiled from table in *ibid.*, pp. 256, 257.

<sup>23</sup> *Ibid.*, pp. 275, 276.

The average amount of exports of domestic produce for 1805, 1806, and 1807 was \$44,863,198, and of foreign produce \$57,701,937. About three-fifths of the exports of domestic origin went to Europe, four-elevenths to the West Indies and American continent, but less than one-twentieth to Asia and Africa. In 1807, our total exports were estimated at \$108,343,150 and our imports at \$138,574,876.84. In that year, however, the value of imports was calculated from the prices at which these articles, when exported, were valued at the custom house. From this method of calculation and from the fact that American merchants had been their own carriers for years, there seems much justification for Pitkin's statement, "that the real gain of the United States has been nearly in proportion as their imports have exceeded their exports." This will be made clearer by an illustration. An American owned vessel carried five thousand barrels of flour for an American merchant to Spain. This flour, valued at \$9.50 per barrel, made the cargo worth \$47,500 at the place of exportation. In Spain, however, the flour brought fifteen dollars a barrel or seventy-five thousand dollars. The difference, \$27,500, arose from necessary charges as freight, insurance, commissions, profits, etc. With the proceeds brought directly home the value of the imports arising would obviously be seventy-five thousand dollars, and the difference between that sum and \$47,500, or \$27,500 was gain for the United States and its citizens. The returns, however, usually came in foreign articles rather than money alone. Freight and other expenses on the return cargo, with a profit more or less reasonable, were counted in the value of the articles and thus increased "the difference between the estimated value of the imported and exported cargo."<sup>24</sup>

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<sup>24</sup> *Ibid.*, pp. 276-281.

## CHAPTER II

### FOREIGN RESTRICTIONS ON COMMERCE

As pointed out in the previous chapter, American commerce thrived during the early phases of the European conflict. While England and France were fighting for military, naval, and commercial supremacy, the United States was reaping a rich harvest. Her combined exports and imports increased from forty-eight million dollars in 1791 to two hundred and five million dollars in 1801, and after a temporary decline, 1802-1803, to two hundred and forty-seven million in 1807. During the latter part of this period freight earnings amounted to \$32,500,000 per year. The United States was thus rapidly pushing towards commercial supremacy.<sup>1</sup>

However, after the lull in European warfare, 1802-1803, the fighting broke out with greater fury than ever, and lasted, with scarcely a respite, until Napoleon's overthrow at Waterloo in June, 1815. During this period restriction after restriction was placed on neutral commerce, not primarily with the intention of destroying neutrals, but of injuring the enemy. In a life and death struggle then, as well as in more recent years, however, the warring parties were not scrupulous in their observance of the rights of others.

From March 25, 1793, through October 14, 1808, there were thirty-one acts or orders in council by Great Britain which affected the United States.<sup>2</sup> Only those of 1806, 1807, and 1808 will be considered here. On April 8, 1806, the principal Secretary of State for Foreign Affairs, Charles James Fox, wrote James Monroe, our minister to England, that his country had determined to establish and maintain "the most rigorous blockade at the entrance of the Ems, the Weser, the Elbe, and the Trave." This step, he held, was justified, because the King of Prussia had forcibly taken possession of

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<sup>1</sup> Bogart, E. L., *Economic History of the United States*, pp. 121, 122.

<sup>2</sup> *American State Papers, Class I, Foreign Relations*, Vol. III, p. 263.

certain parts of the electorate of Hanover and other territory belonging to the English king, and had given notice of an intention to exclude all British ships from the ports of Prussia and certain other parts of northern Europe.<sup>3</sup>

A little over a month later, May 16, 1806, Fox again wrote to Monroe, this time to notify him of the blockade of the European coast from the river Elbe to the port of Brest inclusive. This blockade, however, was not absolute. Neutral ships laden with neutral goods, not contraband of war, could trade with this region, except from Ostend to the Seine, provided the vessels had not been loaded in enemy ports, and were not in the possession of an enemy, and provided, moreover, that the vessels sailing from those rivers and ports should not be destined to any territory in the possession of the enemy, or guilty of having previously broken the blockade.<sup>4</sup> A few months later September 25, 1806, this blockade was so modified as to allow a little more trade, for Lord Howick, now principal Secretary of State for Foreign Affairs, notified Monroe that "so much of the blockade as extended from the river Elbe to the river Ems, both inclusive, is for the present discontinued."<sup>5</sup>

On January 7, 1807, England forbade any vessel trading from one port to another if both ports were in the possession of France or her allies, or so far under their control as to exclude British ships therefrom. Ships of war and privateers were instructed to warn neutral vessels of the blockade. Vessels disregarding the warning and those sailing for such destinations after a reasonable length of time for the acquisition of information by them had elapsed were subject to capture. Four principal reasons were advanced for the action of the English:

(1) The prohibition by France of commerce between neutral nations to interfere or France to retract her decrees; nations in any article of English growth, produce, or manufacture;

<sup>3</sup> *American State Papers*, p. 267.

<sup>4</sup> *Ibid.*, p. 267.

<sup>5</sup> *Ibid.*, p. 267.

- (2) The proclamation by France of a "paper blockade" of British dominions;
- (3) The unquestionable right of retaliation;
- (4) The right of defense of English interests against unjust attacks.<sup>6</sup>

On June 26, 1807, David M. Erskine, Envoy Extraordinary and Minister Plenipotentiary of England to the United States, then residing at Philadelphia, wrote to the American Secretary of State that the English king, because of the French success on the continent, which enabled Napoleon to command the mouths of the Ems, Weser, and Elbe, had seen fit to reestablish "the most vigorous blockade at the entrance of those rivers."

Later in the year a proclamation dated October 16, 1807, was intended to recall and prohibit British seamen from serving foreign princes and states. English officers were authorized to stop and search merchant ships for such persons, but to refrain from unnecessary violence. Foreign warships were not to be treated in this way. Letters of naturalization or certificates of citizenship from foreign states were not considered valid for native-born English subjects. All such subjects who had taken out foreign citizenship were assured a full and free pardon provided they returned to their allegiance at once. If they did not do so, they were liable to punishment for contempt. Masters of ships, pilots, marines, seamen, shipwrights, and other seafaring men, native-born subjects of Great Britain, if captured in foreign service by the Algerians or other powers of northern Africa and carried into slavery, would not be reclaimed as subjects of Great Britain. All subjects who had entered or who thereafter should voluntarily enter into the service of a state at war with England were declared guilty of high treason and subject to the extreme penalty therefor.<sup>6</sup>

On November 11, 1807, new and very drastic orders in council were issued. The reasons premised were:

- (1) French decrees declaring British Isles in a state of

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<sup>6</sup> *Ibid.*, pp. 267, 268.

<sup>7</sup> *Ibid.*, p. 268.

<sup>8</sup> *Ibid.*, p. 268.



blockade and subjecting "to capture and condemnation all vessels with their cargoes which should continue to trade with His Majesty's dominions;"

(2) The prohibition by the same order of all trade in English merchandise, and declaration that all merchandise belonging to England or her colonies was lawful prize;

(3) The assent to such orders by all nations in alliance with or under the control of France;

(4) The failure of the orders of January 7, 1807 to induce neutral nations to interfere or France to retract her degrees;

(5) The necessity of taking stronger measures to secure due respect for English rights.

The severity of the orders is indicated by the fact "that all the ports and places of France and her allies," and of all colonies belonging to England's enemies, were subjected to the same restrictions, with certain exceptions, as if they were actually blockaded "in the most strict and rigorous manner." Trade in the products of those countries or colonies was, moreover, declared unlawful, and every vessel violating the order subject to capture and condemnation "as prize to the captors."<sup>9</sup>

Trade, however, as previously intimated, was allowed on certain conditions. A vessel of a country not subject to restrictions of blockade might under certain prescribed conditions carry the products of its own country, or trade from a free port in an English colony to some ports in enemy territory, or from the colonies direct to the country to which the vessel belonged, or to some free port in an English colony, "in such cases, and with such articles, as it may be lawful to import into such free port." The order, moreover, exempted vessels and cargoes of countries not at war with England provided they had cleared out under regulations prescribed by the English and proceeded direct from some place in England, Gibraltar, Malta, or a port of England's allies to the place specified in the clearance papers. Neither did the order apply to the vessel or cargo of a neutral coming from a blockaded port to English territory, and on a direct voyage thereto.<sup>10</sup>

<sup>9</sup> *Ibid.*, p. 269.

<sup>10</sup> *Ibid.*, p. 269.

Certain specified goods of countries not at peace with Great Britain were allowed to be imported in neutral ships subject to duties and liable to "drawbacks," if coming in "ships navigated according to law." Such goods were to be reported for exportation to any neutral or any ally of Great Britain. Exportation and importation were to be directed by British license. A more specific permission, nevertheless, was necessary for the exportation of coffee, sugar, wine, brandy, snuff, and tobacco. Orders of the same day declared illegal the sale to a neutral of any vessel belonging to an enemy of England.<sup>11</sup>

These orders in council, though drastic, were considerably modified from the early drafts. Thus "the sweeping doctrine of retaliation was omitted" because of Lord Bathurst's objections.

"The assertion that neutrals had acquiesced in the Berlin Decree," said Henry Adams, "was struck out; the preamble was reduced, by Lord Eldon's advice, to a mere mention of the French pretended blockade, and of Napoleon's real prohibition of British commerce, followed by a few short paragraphs reciting that Lord Howick's order of January 7, 1807 had not answered the desired purpose either of compelling the enemy to recall those orders or of inducing neutral nations to interpose with effect to obtain their revocation, but on the contrary the same have been recently enforced with increased vigor; and then, with the blunt assertion that 'his Majesty, under these circumstances, finds himself compelled to take further measures for asserting and vindicating his just rights,' Perceval, without more apologies, ordered in effect that all American commerce, except that to Sweden and the West Indies, should pass through some British port and take out a British license."<sup>12</sup>

The orders were hard to comprehend; British merchants could not understand them. New ones "explaining, correcting, and developing Perceval's not too lucid style" caused the dissatisfied Liberals to declare that the English minister intended for the merchants to pay "two guineas for a legal opinion, with the benefit of a chance to get a directly contrary opinion for the sum of two guineas more." The general understanding was that all American commerce with the enemies of England had to go through British ports with

<sup>11</sup> *Ibid.*, p. 270.

<sup>12</sup> Adams, Henry., *History of the United States*, Vol. IV, pp. 102, 103.

license, but that all colonial products would have to pay a tax into the British treasury, which would thereby increase its price to the enemy. Cotton, however, was not allowed to enter France. The general intention, nevertheless, was clear enough. "After November 11, 1807, any American vessel carrying any cargo was liable to capture if it sailed for any port in Europe from which the British flag was excluded. In other words, American commerce was made English."<sup>13</sup> Still, neither the order in council of November 11 nor the impressment proclamation of October 17 was regarded as cause for war.<sup>14</sup>

On November 25, 1807 a new order in council set the date at which the orders of November 11, 1807 should be presumed to have been heard at certain places. If vessels sailed twenty days later than that time, they with their cargoes were exempt from seizure, if loading had commenced previous to that period. If they sailed later than that, they were subject to capture, and proof that the orders had not been received was not allowed in the courts. Seizure of vessels and cargoes would, of course, result.<sup>15</sup>

All neutral vessels were allowed to land in British ports English produce or manufacture, East India goods, prize goods lawfully imported, and foreign goods or produce if lawfully imported under a British license previously granted for that purpose. These goods, if clearance papers had been obtained, could be taken to any enemy colony in the West Indies or America, subject to the payment of export duties to the British treasury, if those colonies were not in a state of actual blockade. Naval and military stores were exempt from this provision as well as foreign sugar, coffee, wine, brandy, snuff, and cotton. These—the last six mentioned—could, if lawfully imported, be exported to designated ports, under special license, provided license had been "previously obtained for the exportation and conveyance thereof." Goods had to be duly entered and landed in a British post, as a usual thing. Neutral vessels might clear from Guernsey,

<sup>13</sup> *Ibid.*, Vol. IV, p. 103.

<sup>14</sup> *Ibid.*, Vol. IV, p. 104.

<sup>15</sup> *American State Papers, Class 1, Foreign Relations*, Vol. III, pp. 270, 271.



Jersey, or Man, under restrictions of the order, to a port specified in the clearance papers if that port was not in a state of actual blockade. They could take articles legally imported direct from any port or place in the kingdom, if said articles were not naval or military stores. If the articles had been imported to those places from blockaded territory, they could be taken only to ports or places of the British kingdom.<sup>16</sup>

In order to encourage the trade from Gibraltar and Malta to countries under restrictions of the order of November 11, a new order of November 25, 1807 declared that flour, meal, grain, tobacco, and other articles in an unmanufactured state, if the growth of a country not subject to the blockade, save only cotton, naval, and military stores, imported into Gibraltar or Malta direct from the producer could, without any license, be cleared out to a port not in actual blockade without being first landed. Cotton, no matter how imported, and articles not of English growth or manufacture, or not imported in a British ship or from the English kingdom direct, except fish, if laden after the time for carrying the orders of November 11 into effect, should not be exported from Gibraltar or Malta save to some part of the British kingdom. All other products of the English kingdom, products carried in a British ship, or articles carried from some place in the British kingdom, together with fish, might be exported to Mediterranean or Portuguese ports under licenses granted by the governors of Gibraltar and Malta. Vessels of the Barbary states were allowed to go anywhere in the Mediterranean or Portugal, if such places were not actually blockaded by the British or their allies, without first stopping at Gibraltar or Malta.<sup>17</sup>

At the same time, November 25, 1807, another order declared that nothing in the order of November 11 should be construed "to subject to capture and confiscation any articles of the produce and manufacture of the said countries and colonies laden on board British ships, which would not have

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<sup>16</sup> *Ibid.*, pp. 271, 272.

<sup>17</sup> *Ibid.*, p. 272.

been subject to capture and confiscation if such order had not been made."<sup>18</sup>

On the same day, November 25, England declared that ships and goods belonging to citizens of Lubeck and seized after the order in council of November 19, 1806, when declared by the admiralty courts "to belong to subjects or inhabitants of Prussia or Lubeck, and not otherwise liable to confiscation," should be allowed to go to a neutral port or the port to which they belonged. Moreover, until further orders, such ships were not liable to detention provided they traded to and from the ports of the British kingdom, between neutral ports, or from ports of English allies and proceeded at once to the port mentioned in their respective clearance papers.<sup>19</sup>

Likewise at the same time, November 25, the English government ordered that all Portuguese ships and cargoes, if so pronounced by the English courts, "and not otherwise liable to confiscation," should be restored and allowed to proceed to Portugal or to any neutral port. Moreover, Portuguese goods and ships were not to be subject to capture in the future if they were trading between British ports, to and from Gibraltar or Malta directly with the port specified in the clearance papers, between neutral ports, between Portugal and her colonies, or directly from ports of English allies to ports specified in their clearance papers, provided those ports were not then in a state of actual blockade. The order specifically stated, however, that Portuguese ships were not to be considered as entitled by any treaty to the protection of goods which might otherwise be subject to confiscation.<sup>20</sup>

Under date of January 8, 1808, George Canning, then principal Secretary of State for Foreign Affairs, wrote William Pinckney, our minister to England, that the king had "judged it expedient to establish the most rigorous blockade at the entrance of the ports of Carthage, Cadiz, and St. Lucar, and of all the intermediate ports situated and lying between

<sup>18</sup> *Ibid.*, p. 273.

<sup>19</sup> *Ibid.*, p. 273.

<sup>20</sup> *Ibid.*, p. 273.

the ports of Carthagena and St. Lucar." He asked Pinckney to inform American consuls and merchants in England that the afore-mentioned ports must be considered in a state of blockade and that any vessels attempting to violate the blockade would be dealt with according to the law of nations and treaties.<sup>21</sup>

A lengthy act of Parliament, March 28, 1808, in furtherance of certain orders in council, made numerous provisions for enforcement and was accompanied by several tables showing duties which undoubtedly caused thousands of pounds to be turned into the British treasury.<sup>22</sup> Possibly in order to encourage the violation of the embargo by American vessels, instructions were given to commanders of English war vessels and privateers not to "interrupt any neutral vessel laden with lumber and provisions" bound to the English West Indies or South America, no matter to whom the property belonged or what irregularities appeared in the clearance papers or official documents. Moreover, official endorsement was to be accorded to the vessel and she was to be allowed to depart with cargo "and to proceed to any unblockaded port, notwithstanding the present hostilities, or any future hostilities which may take place," under the protection of an official.<sup>23</sup>

On April 14, 1808, the British Parliament prohibited the exportation of cotton-wool from Great Britain. The act declared, however, that the king, by license under his royal sign manual, might authorize any person to export cotton-wool to neutral states under terms specified in the license. The act did not prohibit the carrying of cotton-wool in the British coastwise trade, but careful precautions were taken to make sure that it was genuine coast trade. Cotton-wool carried in violation of the act was to be confiscated, every offender was to forfeit forty shillings for every pound so carried, and the vessel "with her guns, furniture, ammunition, tackle, and apparel" was to be declared forfeited.<sup>24</sup>

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<sup>21</sup> *Ibid.*, p. 273. Pinckney's name in the official correspondence is spelled "Pinkney."

<sup>22</sup> *Ibid.*, pp. 274-280.

<sup>23</sup> *Ibid.*, p. 281.

<sup>24</sup> *Ibid.*, p. 281.

On the same date, April 14, 1808, the English Parliament passed an act making valid various orders in council and treasury warrants for East India goods, Portuguese wine and other commodities, for the entrance and ware housing of various goods imported in neutral vessels, the indemnification of the interested parties, the remittance of forfeitures in certain cases and allowing the king by order in council or special license to grant permission to any vessels whatsoever to carry goods from countries excluding the British flag during hostilities and for two months after the beginning of the next meeting of Parliament.<sup>25</sup>

On May 4, 1808, Canning wrote Pinckney that the king had "judged it expedient to establish the most vigorous blockade" of Copenhagen and the other ports in Zealand. He accordingly asked Pinckney to notify the American consuls and merchants then in England that all measures authorized by international law and existing treaties would be invoked to enforce the law.<sup>26</sup>

Seven weeks later, June 23, 1808, Parliament passed a law authorizing the direct importation of the goods of the United States to Great Britain if brought in British vessels, American vessels, or vessels captured as lawful prizes by the United States and acquiesced to by the British courts and owned, captained and three-fourths manned by subjects of the United States. If, however, the importation of such goods from foreign countries was prohibited, they were not included under the above terms. When included, moreover, they were subject to duties and various regulations. If the goods were imported in ships other than "British built, owned, navigated, and registered," they were subject to duties paid on similar articles imported from foreign countries. On reexportation certain drawbacks were allowed.<sup>27</sup>

These duties were well-nigh prohibitive even if the United States wanted to recognize her subordination to Great Britain. Thus a Baltimore paper declared that the English duty on a cargo of tobacco amounted to \$30,000, on flour, \$10,000, and

<sup>25</sup> *Ibid.*, p. 282.

<sup>26</sup> *Ibid.*, p. 282.

<sup>27</sup> *Ibid.*, pp. 283, 284.

on fish. \$5,000.<sup>28</sup> The same paper declared, a week or two later: "Between the Tribute on our exports and the duties on our imports the *city of Baltimore* with its former commerce would pay to the king of Great Britain an annual *tribute* of about Two millions and a half of dollars per annum . . ."<sup>29</sup>

A New England paper declared that the duty on one thousand bales of cotton at three hundred pounds would amount to \$50,000 at nine pence a pound. At fourteen and a half cents a pound the cotton would bring \$43,700. "Thus," ran the comment, "the exporter would have to pay \$6,500 in London more than the Original Cost as a Duty for liberty to proceed to the Continent!!"<sup>30</sup>

On October 14, 1808, Rear Admiral Alexander Cochrane wrote to the various officers under his command that a strict naval blockade was to be established over the leeward side of the French Caribbean islands, and directed them to stop neutral vessels sailing for such ports. If they appeared to be ignorant of the blockade, and had no enemy's property on board, they were to be notified of the blockade, warned not to enter the ports, and have a notice to that effect written on one or more of the ship's papers and then released. If, however, they had been warned, or had sailed from a clearing port after it was reasonably certain that public notification of the blockade had been made, they were to be seized and sent "into port for legal adjudication." If neutral vessels came out of these French Caribbean ports laden with colonial produce, goods, or merchandise and apparently laden after knowledge of the blockade had been received, they also were to be seized and "sent in for legal adjudication."<sup>31</sup>

In the next place it is, of course, necessary to note the action of the other principal belligerent, for that action too influenced the United States, though to a lesser extent than England's. From May 9, 1793 to April 17, 1808, inclusive, France issued eighteen decrees affecting the United States. Only those from 1806 will be considered here. On November

<sup>28</sup> *Baltimore Evening Post*, September 22, 1808.

<sup>29</sup> *Ibid.*, October 3, 1808.

<sup>30</sup> *Northampton Republican Spy*, November 9, 1808.

<sup>31</sup> *American State Papers, Class I, Foreign Relations*, Vol. III, p. 284.



21. 1806, Napoleon issued the Berlin Decree, for which he gave the following reasons:

1. England does not observe international law.
2. She regards as enemies all individuals belonging to enemy states, and consequently makes prisoners not only of the crews of war vessels, but the crews of merchant vessels as well with their super-cargoes.
3. She applies the right of conquest to merchant vessels, products, and private property.
4. In violation of the law of nations she blockades un-fortified ports and harbors.
5. She uses a "paper blockade" in many cases.
6. By this means she hopes to destroy the commerce of neutral nations and extend her own products "upon the ruin of those of the continent."
7. Anyone favoring England in this design becomes an accomplice.
8. England has profited by this plan; other nations have suffered.
9. "That it being right to oppose to an enemy the same arms she makes use of, to combat as she does, when all ideas of justice and every liberal sentiment (the result of civilization among men) are disregarded; We have resolved to enforce against England the usages which she has consecrated in her maritime code.

The present decree shall be considered as the fundamental law of the empire until England has acknowledged that the *rights of war* are the same on land as at sea; that it cannot be extended to any private property whatever, nor to persons who are not military, and until the right of blockade be restrained to fortified places, actually invested by competent forces.'<sup>32</sup>

The decree then declared:

1. The British Islands are blockaded.
2. Letters and packages addressed to England or Englishmen or in the English language shall be seized.

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<sup>32</sup> *Ibid.*, pp. 289, 290.

3. All Englishmen found in territories occupied by French armies shall be made prisoners of war.

4. All property of English subjects shall be declared lawful prize.

5. All English merchandise is lawful prize.

6. One-half of the proceeds resulting from the above confiscations shall be used to indemnify French merchants for losses suffered at the hands of English cruisers.

7. Vessels coming direct from England or English ports, or vessels there after the publication of this decree shall be denied entrance to French ports.

8. Vessels attempting to avoid the clause by making false declarations shall be seized, and, with their cargoes, confiscated as if they were English.

9. The tribunal of prizes in Italy shall be charged with the settling of controversies under the decree there; the tribunal of prizes at Paris shall be charged with the settling of all other controversies arising under the decree.

10. The minister of "Exterior Relations" shall be charged with communicating the decree "to the Kings of Spain, of Naples, of Holland, of Etruria, and to our allies, whose subjects, like ours, are the victims of the injustice and barbarism of the English maritime laws."<sup>33</sup>

In reply to the English orders in council of November 11, 1807, Napoleon issued the Milan Decree, December 17, 1807. This decree, short like its predecessor and unlike many of the English orders in council in this respect and in its clarity, was issued in the name of Napoleon, Emperor of the French, King of Italy, and Protector of the Rhenish Confederation. It premised as reasons for its existence:

(1.) The orders of November 11, 1807, which made liable to search, detention, and taxation neutral ships and the ships of England's allies and friends.

(2.) The consequent denationalization of ships of all nations by England.

(3.) The danger that acceding to this demand would establish tyranny into principles and consecrate it by usage

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<sup>33</sup> *Ibid.*, p. 290.

even as the English had "availed themselves of the tolerance of government to establish the infamous principle that the flag of a nation does not cover goods, and to have to their right of blockade an arbitrary extension, and which infringes on the sovereignty of every state."<sup>34</sup>

The decree then declared:

1. All ships on voyages to England submitting to English search, or paying English taxes are declared to be denationalized, deprived of protection of former king, and English property.

2. All ships thus denationalized are good and lawful prize wherever they may be found.

3. The British Isles are blockaded by land and sea. All vessels sailing to or from England, her colonies, or countries occupied by English troops are to be considered lawful prize.

4. "These measures, which are resorted to only in just retaliation of the barbarous system adopted by England, which assimilates its legislation to that of Algiers, shall cease to have any effect with respect to all nations who shall have the firmness to compel the English government to respect their flag. They shall continue to be rigorously in force as long as that Government does not return to the principle of the law of nations, which regulates the relations of civilized States in a state of war. The provisions of the present decree shall be abrogated and null, in fact, as soon as the English abide again by the principles of the law of nations which are also the principles of justice and of honor."<sup>35</sup>

The only authentic information of the Bayonne Decree of April 17, 1808, to reach the Department of State was contained in a letter of General Armstrong, our minister to France, dated April 23, 1808, and sent to the Secretary of State. The direction to the French custom house officials was "to seize all American vessels now in the ports of France, or which may come into them hereafter." The explanation given to Armstrong was: "No vessel of the United States can now navigate the seas without infracting a law of the

<sup>34</sup> *Ibid.*, p. 290.

<sup>35</sup> *Ibid.*, pp. 290, 291.



said States, and thus furnishing a presumption that they do so on British account, or in British connexion.''<sup>36</sup>

Under these conflicting orders and decrees, hundreds of American vessels and millions of dollars worth of American property were confiscated. England and her allies virtually said: "If you don't do as we say, we will take your property." Napoleon and his allies said: "If you do as England says, we will take your property." It was, apparently, a question of the frying pan or the fire. According to a news item of June 8, 1808, Great Britain had carried into English ports sixty-seven vessels valued at eight million dollars since November 11, 1807.<sup>37</sup>

A report prepared by James Monroe, Secretary of State, and transmitted to the House of Representatives, July 6 1812, by President Madison, declared that England captured 528 vessels prior to the orders in council of November 11, 1807, and 389 subsequently thereto, or a total of 917. France captured 206 vessels prior to the Berlin and Milan decrees, 307 vessels during the existence of those decrees, to August 5, 1810, and forty-five after their revocation, or a total of 558.<sup>38</sup> Though England had control of the sea, it will be seen that the French were not absolutely powerless. Many of the captures made by the French, however, were of American vessels in French ports.

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<sup>36</sup> *Ibid.*, p. 291.

<sup>37</sup> *National Intelligencer*, June 8, 1808.

<sup>38</sup> *American State Papers, Class I, Foreign Relations*, Vol. III, pp. 583-585.

## CHAPTER III

### THE EMBARGO IN LEGISLATION, DEBATE, AND DIPLOMACY

No self-respecting nation could tamely submit to restrictions imposed upon it by foreign powers. This was especially difficult for the United States in the case of England, after the *Leopard-Chesapeake* outrage. On June 22, 1807, the *Leopard*, a fifty-gun vessel, stopped the *Chesapeake* off the Virginia coast just outside of the three mile limit, and demanded the surrender of seamen who were said to be deserters from British naval service. When the demand was refused, the English vessel opened fire. The *Chesapeake* was unprepared for action. Many guns were dismounted and the deck was littered with stores. After twenty-one men had been wounded or killed, one gun was discharged by a coal brought from the galley fire. The flag was then hauled down. The British carried off four men said to be deserters. Since the captain of the *Leopard* refused to accept the surrender of the *Chesapeake*, the American vessel returned to her anchorage. The public anger was furious. Barrels of water intended for British war vessels were smashed, indignation resolutions poured in, and many people clamored for war. Jefferson, however, contented himself for the time being with a proclamation ordering the ports of the United States closed to British war vessels and with negotiations which proved unsatisfactory.<sup>1</sup>

The merchants, most immediately involved in the depredations on our trade, were inclined to favor a circumspect course. Many of them, then as now, worshipped the dollar. Losses came to them, of course, but because of the dangers of the voyage, prices were high: hence the successful traders made exorbitant profits. Nevertheless, the sentiment of the country veered steadily towards obtaining and maintaining

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<sup>1</sup> Channing, E., *History of the United States*, Vol. IV, pp. 370-372.

for the United States a position of respect at home and abroad. The question was: "How can a nation unprepared for war force two mighty foes, locked in a life and death struggle, to repeal their obnoxious orders and decrees?" Among the expedients considered for the protection of our commerce were:

1. Use of ships of war;
2. Arming of merchant vessels;
3. An offensive and defensive war;
4. A general suspension of foreign commerce; and
5. An embargo of vessels, sailors, and merchandise.<sup>2</sup>

Jefferson, pacific by nature and fearful of the cost of war, favored the last named measure. He was not alone in this opinion, for all his cabinet sided in with him. Albert Gallatin, the Secretary of the Treasury, however, was apparently not so enthusiastic as his chief might wish, for on December 18, 1807, he wrote to Jefferson as follows:

. . . I also think that an embargo for a limited time will at this moment be preferable in itself, and less objectionable in Congress. In every point of view, privations, sufferings, revenue, effect on the enemy, politics at home, etc., I prefer war to a permanent embargo. Governmental prohibitions do always more mischief than had been calculated; and it is not without much hesitation that a statesman should hazard to regulate the concerns of individuals as if he could do it better than themselves.<sup>3</sup>

On the same day that Gallatin's letter was written, the president sent the following communication to the Senate and the House of Representatives:

The communications now made, showing the great and increasing dangers with which our vessels, our seamen, and merchandise are threatened on the high seas and elsewhere from the belligerent powers of Europe, and it being of the greatest importance to keep in safety these essential resources, I deem it my duty to recommend the subject to the consideration of Congress, who will doubtless perceive all the advantages which may be expected from an inhibition of the departure of our vessels from the ports of the United States.

Their wisdom will also see the necessity of making every preparation for whatever events may grow out of the present crisis.<sup>4</sup>

<sup>2</sup> *Annals of Congress*, Vol. 17, p. 366.

<sup>3</sup> Adams, Henry, *Life of Albert Gallatin*, pp. 366, 367.

<sup>4</sup> Richardson, J. D., *A Compilation of the Messages and Papers of the Presidents, 1789-1797*, Vol. I, p. 433.

This message was accompanied by documents from France and England showing the necessity of affording protection to our commerce.<sup>5</sup> The communication was read the same day in the Senate and referred to a committee which reported a bill almost immediately. The Senate passed the measure by a vote of 22 to 6 and sent it to the House within five hours after the first reading. In the Senate, it is true, some members had urged delay, but others had rejoiced over the sign of vigor on the part of the president and had appealed for instant decision. Among these was John Quincy Adams, who had declared: "The President has recommended the measure on his high responsibility. I would not consider, I would not deliberate; I would act!"<sup>6</sup> In the meantime, the House also acted. When the communication from the president arrived, John Randolph took the lead, and ✓ moved that an embargo be laid immediately. When the Senate bill came, it was substituted for the Randolph resolution. On the next day the "erstwhile leader of the Republicans" opposed the embargo by insisting that it was truckling to French orders. The Federalists seized upon these charges, but in spite of divided councils caused by Randolph's defection, the embargo was passed December 21, 1807, by a vote of 82 to 44.<sup>7</sup> In all probability, Jefferson never scored a higher triumph throughout the whole of his political career. Henry Adams has well written:

On his mere recommendation, without warning, discussion, or publicity, and in silence as to his true reasons and motives, he succeeded in fixing upon the country, beyond recall, the experiment of peaceable coercion. His triumph was almost a marvel; but no one could fail to see its risks. A free people required to know in advance the motives which actuated government, and the intended consequences of important laws. Large masses of intelligent men were slow to forgive what they might call deception. If Jefferson's permanent embargo should fail to

5 *American State Papers, Series I, Foreign Relations*, Vol. III, pp. 25, 26. Jefferson's annual message of October 27, 1807, had previously pointed out the dangers to American commerce, especially from the English orders. He had, with some exaggeration, declared: "Under this new law of the ocean our trade on the Mediterranean has been swept away by seizures and condemnations, and that in other seas is threatened with the same fate." (Richardson, J. D., *op. cit.*, p. 427.)

6 Quoted from J. Q. Adams, *Diary*, Vol. I, p. 491, in Channing, E., *The Jeffersonian System*, p. 212. See also *Annals of Congress*, Vol. 17, p. 51.

7 Channing, E., *Jeffersonian System*, pp. 212, 213.

coerce Europe, what would the people of America think of the process by which it had been fastened upon them? What would be said and believed of the President who had challenged so vast a responsibility?<sup>8</sup>

The act which Jefferson approved December 22, 1807, prohibited the sailing of all ships and vessels subject to the jurisdiction of the United States, if destined to some foreign port or place. No vessel, unless licensed under the immediate direction of the president, was to be given a clearance. The chief executive was to give the proper instructions to the revenue and naval authorities. The act specifically declared that no provision of the law was to be so construed as to detain any foreign vessel in ballast, or loaded "with goods, wares, and merchandise" when notified. Coastwise trade was permitted when the master, owner, consignee, or factor of the vessel gave bond, with at least one surety, to double the value of the vessel and cargo that the goods would be relanded in a port of the United States, "dangers of the sea excepted." The collector of the district from which the vessel sailed was later on to send the bond, with a certificate from the collector where the goods had been relanded, to the Secretary of the Treasury. Armed vessels with public commissions from foreign nations were declared exempt from the embargo.<sup>9</sup>

Enemies of Jefferson have never ceased to condemn his haste and motives in forcing the passage of the embargo act. William Sullivan declared:

The Berlin decree, then more than a year old; the inquiry of Mr. Armstrong, and the answer to it; and the *proclamation* of the British government, (cut from a newspaper) recalling the British seamen, and prohibiting them from serving foreign princes, and states, dated October 16, 1807, were all the documents sent to Congress, proposing an *unlimited* embargo. These showed the great and unceasing dangers with which our vessels, *our* seamen, and merchandise were threatened on the high seas, and elsewhere by the belligerent powers of Europe.<sup>10</sup>

In the same letter Sullivan added: "No one who calmly considers this transaction can doubt, that it was conceived and executed for the purpose, and only purpose of enforcing,

<sup>8</sup> Adams, Henry, *History of the United States*, Vol. IV, pp. 176, 177.

<sup>9</sup> *Annals of Congress*, Vol. 18, pp. 2814, 2815.

<sup>10</sup> *Familiar Letters on Public Characters and Events*, (October 15, 1833), p. 259.



so far as this country could be useful to that end, the continental system of Napoleon.”<sup>11</sup> On October 25, 1833 he wrote: “He [Jefferson] was willing to impose an annual loss of *fifty millions* on his own countrymen, and enforce his system of restriction at the point of the bayonet, to aid Napoleon in humbling England.”<sup>12</sup>

Jefferson’s real motive in recommending the embargo may never be known. A friendly view will, of course, note the expected advantages of the measure. Thus we read:

✓ An embargo will not be without advantages separate from the immediate purpose it is to answer. It forces frugality in the use of things depending on habit alone for the gratification they yield. It fosters applications of labor which contributes to our internal sufficiency for our wants. It will extend those household manufactures, which are particularly adapted to the present stage of our society. And it favors the introduction of particular branches of others, highly important in their nature, which will proceed of themselves when once put into motion, and moreover by attracting from abroad hands suitable for the service, will take the fewer from the cultivation of our soil.<sup>13</sup>

✓ Two months later the same paper advanced eight reasons for the passage of the embargo, in substance as follows:

1. No commerce could be carried on with safety prior to the embargo.

2. We had serious disputes with England which might lead to war.

3. The embargo would bring the British to terms.

4. It would tend to preserve peace.

5. It would prevent the importation of many millions of undesirable foreign goods.

6. It would injure enemies more effectively than war.

7. It would encourage domestic manufactures.

8. It would discourage “extravagance and expense in foreign gewgaws.”<sup>14</sup>

Later on, when the effects of the embargo became apparent, the same paper quoted the *Washington Monitor* with approval on the cost of embargo as compared with war. Thus we read:

<sup>11</sup> *Ibid.*, p. 260.

<sup>12</sup> *Ibid.*, p. 268.

<sup>13</sup> Northampton *Republican Spy*, January 13, 1808.

<sup>14</sup> *Ibid.*, March 9, 1808.

## THE EMBARGO

✓ Will produce temporary inconvenience; the loss of a few thousand dollars; and give a little more idle time to the citizens, who do not choose to turn their attention to internal improvements. It will not starve anybody. On the contrary, the staple necessities of life will be cheaper.

## A WAR

Will produce the loss of millions of dollars, burning and sacking of towns and cities, rape, theft, murders, streams of blood, weeping widows, helpless orphans, the beggary of thousands, the ruin of agriculture, and an extensive depravation of morals.

Citizens of the United States! Which do you choose?<sup>15</sup>

✓ Southern administration newspapers accepted the same view. In the fall a Virginia paper declared that the embargo was simply a choice of evils—war, submission, or embargo—and that the government had chosen the least damaging.<sup>16</sup>

An editorial early in December admitted that the embargo was a great evil to the commercial and agricultural interests, but contended, that no lesser evil could be adopted in its place. The embargo, moreover, prevented war, the article insisted.<sup>17</sup>

Anti-administration newspapers claimed that Jefferson laid the embargo because of French influence. In a Hartford paper early in January, 1808, we read:

What is this Embargo laid on for? is in every body's mouth. As it is the policy of our present rulers to let the people grope in the dark, we can only conjecture. From the variety of considerations, we feel persuaded that our excellent friend Bonaparte has intimated, to our government, his intention to take measures, as it respects our commerce, which our administration *ought* to resent and which the people *would* resent, if they knew them; there is then but one way to manage us—that is—restrain *commerce*, and then the intentions of Bonaparte cannot be brought into operation, and may be kept a secret from the American publick. The long and short of it is this—rather than resist any overbearing and insulting measure of France, we are to be ruined, by commercial restriction.<sup>18</sup>

The charge of French influence was continually made. A few typical instances occurring from August to September will be cited. Thus a *North American* charge that both Jefferson

<sup>15</sup> *Ibid.*, July 20, 1808.

<sup>16</sup> *Richmond Enquirer*, September 16, 1808.

<sup>17</sup> *Ibid.*, December 2, 1808.

<sup>18</sup> *Connecticut Courant*, January 6, 1808.

and Madison were naturalized French citizens was widely circulated.<sup>19</sup> Madison was charged with declaring: "*France wants money and we must give it.*" Jefferson is said in an irritated manner to have expressed the idea that the United States would fight England. His visitor, a merchant, asked how we could reach the English when we had no ships and they would not come here. He replied: "*France has ships and we have men.*"<sup>20</sup>

Under the form of question and answer the Brattleborough Reporter asked: "Why is the *Embargo* like good strong coffee?" It replied: "Because Bonaparte is remarkably fond of it." Again: "Why is the *Embargo* like French influence in our cabinet?" "Because unless speedily removed," was the answer, "it will be the ruin of America."<sup>21</sup>

A paper of the same date charged Jefferson and Madison with violating the first article of the ninth section of the Constitution by accepting secretly "the *title* of member of Bonaparte's Legion of Honour."<sup>22</sup> A little later the same paper charged Jefferson with laying the embargo at Napoleon's express order.<sup>23</sup>

In connection with this charge of French influence we have numerous statements to the effect that the embargo was violated by French vessels with the consent of the administration. One article read:

Notwithstanding the *Embargo Laws*, (to which it seems Mr. Jefferson and his friends pay no regard) French vessels are continually carrying off supplies to Guadaloupe, etc. The French brig *La Pars* has just sailed from Philadelphia; among the articles she took by Jefferson's orders, were five tons cordage, 150 bbls. flour, 100 do. salt provisions, six pipes wine, a number pipes brandy, and many articles which the people must not know of, because *they* are not allowed such privileges.<sup>24</sup>

The president and Congress were continually charged with hostility to trade. "*Perish Commerce* is the motto of the ma-

<sup>19</sup> *National Intelligencer*, August 24, 1808.

<sup>20</sup> *United States Gazette*, August 31, 1808.

<sup>21</sup> *Massachusetts Spy or Worcester Gazette*, September 21, 1808.

<sup>22</sup> *United States Gazette*, September 21, 1808.

<sup>23</sup> *Ibid.*, October 8, 1808.

<sup>24</sup> *Massachusetts Spy or Worcester Gazette*, August 24, 1808. See also the *National Intelligencer*, July 1, 1808 and the *New York Herald*, December 31, 1808.



jority of Congress," declared a leading Massachusetts paper.<sup>25</sup> A prominent individual in discussing the embargo evils with a member of Congress declared that it had already reduced thousands of seamen to beggary and that many thousands had already gone out of the country into British employ. The answer, declared to be representative of Southern opinion, was: "As to their beggary it is their own fault; there is land enough; let them take to the spade. As to their going out of the country, I am d - - - d glad of it. And I hope they will never come back to it again. If we had no seamen, we should have no commerce—and if we had no commerce, we should not be getting into eternal quarrels with foreign nations!!"<sup>26</sup>

Jefferson has often been accused, as these citations indicate, of aiming at the destruction of commerce and there is ground for this in his writings.<sup>27</sup> Again, he liked to experiment on a large scale and, perhaps, as some people stated, wanted to try out a pet theory. The charitable view, however, is that he sincerely attempted to preserve the peace and protect American shipping, seamen, and products from foreign depredations.

On December 23, 1807, Madison, Secretary of State, wrote to Pinckney, concerning the embargo:

But it may be proper to authorize you to assure the British Government, as has been just expressed to the minister here, that the act is a measure of precaution only, called for by the occasion; that it is to be considered as neither hostile in its character, nor as justifying, or inviting, or leading to hostility with any nation whatever, and particularly as opposing no obstacle whatever to amicable negotiations and satisfactory adjustments with Great Britain, on the subjects of difference between the two countries.<sup>28</sup>

The embargo made necessary several supplemental acts. One of these was approved by the president, January 8, 1808. There were seven sections to this act, whereas there had only been two in the original act. It was provided that, during the continuance of the embargo, "no vessel licensed for the

<sup>25</sup> *Boston Reperetory*, March 22, 1808.

<sup>26</sup> *Boston Reperetory*, April 1, 1808.

<sup>27</sup> *Writings*, Vol. III, p. 269; Vol. IX, p. 245.

<sup>28</sup> *American State Papers, Class I, Foreign Relations*, Vol. III, p. 206.

coasting trade'' should be allowed a clearance unless the owner, consignee, agent or factor, *with the master*, gave bond, with at least one surety to the United States, to an amount double the worth of ship and cargo, that the vessel would not go to a foreign place, but would reland the cargo in some port of the United States. Owners of licensed fishing vessels and those bound on whaling voyages, according to the second section, if they had on board no other cargo than sea stores, salt, and the ordinary fishing tackle, had to give a general bond to four times the value of vessel and cargo, that they would not, while the embargo was in operation, go to any foreign port, but would return to the United States with their fishing fare. If the vessels were uniformly employed in places within the jurisdiction of the United States, a bond equal to three hundred dollars for each ton of the vessel so engaged was sufficient, provided the vessel was not employed in foreign trade during the time specified in the bond.

Vessels leaving during the continuance of the embargo without clearance or permit or contrary to the provisions of the embargo acts and proceeding to foreign ports and there engaging in trade were to be forfeited together with their cargoes. If, however, they were not seized, the owners, agents, freighters or factors of the vessels, should, for each offense, be fined a sum equal to double the value of ship and cargo, and should thereafter be deprived of credit for duties on their imports into the United States. The commanders of such vessels, with all other persons knowingly concerned in such prohibited foreign voyages were to be fined a sum ranging from one thousand to twenty thousand dollars for each offense, whether or not the vessels were seized and condemned. Moreover, the oath of any commander so offending was thereafter declared inadmissible before any United States customs collector. The exception made in the former act in favor of foreign ships and vessels was dealt with. It declared that such exception should apply only to public armed vessels possessed of public commissions from foreign nations. Privateers, vessels with letters of marque, and other private armed vessels were consequently ruled out; they, however, were allowed to

depart subject to the same regulations as prevailed for other private foreign ships and vessels.

The next section declared that if any foreign vessel during the continuance of the embargo took on board specie or products "other than the provisions and sea stores necessary for the voyage," the vessel together with all its cargo should be entirely forfeited, and could be seized and condemned in any competent United States court. Every person interested in the violation could be fined "a sum not exceeding twenty thousand dollars, nor less than one thousand dollars, for every such offense." The last section provided that the time during which the embargo was in force should not be counted "as making part of the term of twelve calendar months during which goods, wares, or merchandise, imported into the United States, must be re-exported in order to be entitled to a drawback of the duties paid on the importation thereof."<sup>29</sup>

When Jefferson recommended the embargo act, he had not yet received official news of the British orders in council of November 11, 1807. British papers received, it is true, had hinted at far-reaching orders, but there is little definite proof that these influenced him. Apparently they had as little effect in the Congressional debates. On February 4, 1808, however, Jefferson sent the orders to Congress with the following brief message:

Having received an official communication of certain orders of the British Government against the maritime rights of neutrals, bearing date the 11th of November, 1807, I transmit them to Congress as a further proof of the increasing dangers to our navigation and commerce which led to the provident measure of the act of the present session laying an embargo on our own vessels.<sup>30</sup>

The embargo act and the first supplementary act failed to stop all commerce. The embargo act itself did not touch the trade with Canada and Florida. The first supplemental act applied merely to fishing and coasting vessels. The government now determined by a second supplemental act to stop all land and sea commerce with foreign powers. Accordingly, on February 11, 1808, the committee on commerce and manu-

<sup>29</sup> *Annals of Congress*, Vol. 18, pp. 2815-2818.

<sup>30</sup> *American State Papers, Class I, Foreign Relations*, Vol. III, p. 29.

factures was instructed to determine what further restrictions were necessary to prevent exportations to foreign countries, with the option of reporting by bill or otherwise.<sup>31</sup> On February 19, 1808, various supplementary acts to the embargo were brought up. These created hot words, particularly the fourth, which forbade the "exportation in any manner whatever of goods the exportation of which by sea is prohibited by the embargo laws."<sup>32</sup> In spite of heated discussions, however, Jefferson's control seemed well-nigh absolute. On February 29, 1808, the second supplemental bill passed the House by a vote of 97 to 22.<sup>33</sup> In the Senate, little opposition, apparently, was recorded.<sup>34</sup> On March 12, the president signed the measure and it became law.<sup>35</sup>

This act declared that "no ship, vessel, or boat of any description whatever, owned by citizens of the United States, and which is neither registered, licensed, nor possessed of a sea letter, shall be allowed to depart from any port of the United States, or shall receive a clearance."<sup>36</sup> If the vessels desired to engage in the coastwise trade, the owners, factors or consignees, if the vessels were American owned, had, with the usual surety, to give a bond double the value of vessel and cargo that the goods would be landed in some port of the United States. If the vessels were foreign owned, the bond amounted to four times the value of the vessel and cargo. If, however, the American vessels had been uniformly employed in waters under the jurisdiction of the United States, a bond equal to two hundred dollars for each ton of the vessel was sufficient, provided the vessel was not employed in any foreign trade during the time specified in the bond.

A bond was not "required of boats not masted, or, if masted, not being decked" if their employment had been and continued to be "confined to rivers, bays, and sounds, within the jurisdiction of the United States, and lying within districts

<sup>31</sup> *Annals of Congress*, Vol. 18, p. 1599.

<sup>32</sup> *Ibid.*, Vol. 18, p. 1650.

<sup>33</sup> *Ibid.*, Vol. 18, p. 1712.

<sup>34</sup> *Ibid.*, Vol. 17, p. 158.

<sup>35</sup> *Ibid.*, Vol. 18, p. 2842.

<sup>36</sup> *Ibid.*, Vol. 18, pp. 2839, 2840.

which are not adjacent to the territories, colonies, or provinces of a foreign nation." The Secretary of the Treasury, nevertheless, if he saw fit, might ask a bond "equal to thirty dollars for each ton of said boat, with condition that such boat shall not be employed in any foreign trade during the continuance of the embargo."

In every case where a bond had been required, the parties to the bond, should, within four months after the bond had been given, show to the collector of the port from which the vessel had sailed a certificate of relanding from the collector of the port specified in the clearance papers. On failure to comply with this provision, suit was to be instituted and judgment given against the defendant or defendants unless they could produce proof of relanding, loss by sea, or some unavoidable accident.

Another section struck hard at the trade with Canada and Florida even though it had been carried on by land. It was declared unlawful to export "in any manner whatever" any goods whose exportation was prohibited by the earlier embargo acts. In case any goods were so exported, "either by land or water, the vessel, boat, raft, cart, wagon, sleigh, or other carriage" in which they were exported "together with the tackle, apparel, horses, mules, and oxen" were declared forfeited. Moreover, the owners and all persons concerned in such unlawful exportation were subject to a fine not exceeding ten thousand dollars for each offense. The careful effort to avoid unnecessary offense to foreign powers is apparent in the exceptions stated in the section. In the first place, foreign vessels were allowed to sail with the cargoes they had on board when notified of the act. In the second place, they could furnish themselves with the needed "provisions and sea stores for the voyage." Fishing vessels might do likewise, and take "their usual fishing tackle and apparel." It was specifically stated also that nothing in this act was to be so construed as to deprive the president of power given under the former act.

One provision of the law was intended to prohibit under penalty the sale of fish to any passing vessel. An exception might be made, however, in the case of small vessels engaged in fishing on our own coasts.



The last section authorized the president to allow owners who held property acquired in ports outside the jurisdiction of the United States prior to December 22, 1807, to send a vessel in ballast for that property and bring it back into the United States. In such cases the Secretary of the Treasury was empowered to require, with "sufficient security," a bond of any sum which he deemed necessary.<sup>37</sup>

Before Congress adjourned in the late spring a law was passed relating to the suspension of the embargo and approved April 22, 1808. This act provided that in case of peace in Europe or the revocation of the offending orders or decrees, in a way which he considered safe for American commerce, the president might suspend in whole or in part the operation of the embargo laws, under "such exceptions and restrictions, and on such bond and security being given as the public interest and circumstances" of the case might require. Such suspension, however, was not to extend more than twenty days after the next meeting of Congress.<sup>38</sup> Jefferson did not seek this power; in fact he was reported unwilling to assume it.<sup>39</sup> He probably feared the inconveniences which are indicated in a later chapter. In spite of his reputed dislike of the bill, however, he signed it.

On April 25, 1808, the most stringent and longest embargo act yet passed was approved by the president. The act consisted of fifteen sections. The first section declared that no vessel of any kind employed in waters within the jurisdiction of the United States, save only "packets, ferry-boats, and vessels exempted from the obligation of giving any bond whatever," could depart from any point in the United States without a clearance and a manifest of the entire cargo on board delivered by the master or commander to the collector or surveyor of the port from which the ship sailed. Two months later, the owners, agents or masters had to return to the collector of the port from which the vessel had sailed a certificate signed by the collector of the United States port in which the goods had been landed.

<sup>37</sup> *Ibid.*, pp. 2839-2842.

<sup>38</sup> *Ibid.*, pp. 2859-2860.

<sup>39</sup> Relfs *Piladelphia Gazette, and Daily Advertiser*, April 11, 1808.

The next section declared that no ships other than those described in the preceding section should receive a clearing unless the lading was made thereafter under the surveillance of the duly empowered revenue officers and subject to all the restrictions, regulations, penalties, and forfeitures provided upon dutied imports into the United States. This provision, however, did not apply to vessels loaded or partially loaded prior to the receipt of the act by the various collectors. The third section declared that violations of the law described in the first section would cause the forfeiture of vessel and cargo, and subject the "owner or owners, consignee, agent, factors, freighters, master or skipper of such vessel," each to a fine ranging from one thousand to five thousand dollars. This section closed: "Provided always, that nothing herein contained shall be construed to bar or prevent the recovery of the penalty on the bond given for such vessel."

The next two sections for the first time in the embargo laws specifically referred to the Mississippi River trade. They provided that during the continuance of the embargo laws, every master or person in charge of "any vessel, flat, or boat, intended to enter that part of the Mississippi" between the southern boundary of the Mississippi Territory and the river Iberville," should, if going down stream, stop at Fort Adams, and, if going upstream, stop at Iberville and turn over to the revenue officer there stationed a manifest of the entire cargo. To the same officer, two months later, if going down stream and by six months later if going up stream, a certificate that the cargo had been landed "in some part of the district of Mississippi, and within the jurisdiction of the United States." had to be returned. This certificate was to be signed by the collector or one of the surveyors of the district, or if the cargo was landed over thirty miles from the home of one of these officers, by the state or territorial judge who had jurisdiction at the place where the goods were landed. Penalties for violation of these conditions were fixed at one thousand to five thousand dollars fine on each owner, consignee, agent, factor, freighter, master, or skipper, and the forfeiture of vessel and cargo.

The sixth section tried to stop trade with foreign powers



whose territory bordered on our own by forbidding any vessel to sail for any district or port adjoining territories belonging to foreign nations. No clearance could be issued unless special permission had been obtained from the president of the United States. Violations were punished by the forfeiture of vessel and cargo. If the vessel and cargo were not seized, the owners, agents, factors, and freighters of the vessel had to pay double the worth of ship and cargo. The master and commander, together with all other persons knowingly concerned, were each subject to a fine of not less than five hundred or more than three thousand dollars whether or not the vessel was seized.

Suspicion, according to the act, justified interference. By this law all commanders of the public armed vessels, including gun boats, revenue cutters, and revenue boats, were authorized to stop and examine any boat, flat, or vessel, whether American or foreign and whether on the high seas or within the jurisdiction of the United States, if there was "reason to suspect" it to be engaged in business prohibited by the embargo laws. If the suspicion proved to be justified, the commander making the examination was instructed to send the boat to the closest United States port for trial.

The eighth section authorized the Comptroller of the Treasury to remit "duties accruing on the importation of goods of domestic produce, or which, being of foreign produce, had been exported without receiving a drawback, which may have been, or may be re-imported in vessels owned by citizens of the United States, and which having sailed subsequent to the first day of October last, and prior to the twenty-second day of December last, may be or have been stopped on the high seas by foreign armed vessels, and by reason thereof have returned, or may hereafter return into the United States." The Comptroller was likewise authorized to direct bonds given for foreign merchandise, exported with the right of drawback and reimported in the same vessel, to be cancelled, provided the duties on reimportation had been previously paid and other necessary conditions and restrictions were complied with. The next article provided that during the continuance of the embargo no foreign ships or vessels should go from one

port of the United States to another. If this provision was violated, the vessel and cargo were to be forfeited and the owner or owners, agent, factors, freighters, and master were to be fined a sum of not more than three thousand or less than one thousand dollars.

The next three articles dealt with clearance and the powers of collectors. The tenth limited the amount of clearance charges for each vessel, flat, and boat to a maximum of twenty cents for each clearance. The next section allowed customs collectors to detain vessels apparently bound for some other port of the United States, if in their opinion, the intention was to violate or evade the embargo laws. The twelfth section conferred other extraordinary powers on collectors.

The next section related to vessels owned by citizens of the United States and loaded wholly or in part with our products prior to the passage of the embargo. Such vessels, if detained in any port of the United States, might be allowed to go to any of our other ports and remain there with cargo on board subject to the restrictions and bonds prescribed in the embargo acts. The last section expressly declared that no provision of the embargo acts should be construed in such a way as to prevent the exportation by land or inland navigation of furs and peltries owned by British citizens who bought them of the Indians from the territories of the United States to those of Great Britain. Likewise, no provision was to be so interpreted as to prevent the importation to United States territory by land or inland navigation from British territory of merchandise owned by British subjects and designed entirely for Indian use.<sup>40</sup>

When Congress assembled for its second session on November 7, 1808, further efforts were made to strengthen the embargo. Gallatin was appealed to for advice on the embargo and its enforcement. He replied, November 24, that in order to prevent more effectually coasting vessels regularly cleared, from violating the embargo, two measures appeared necessary:

- (1) Increase in the amount of bond; and

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<sup>40</sup> *Annals of Congress*, Vol. 18, pp. 2870-2874.

(2) Refusal to allow capture, distress, or any other accident to be admitted as a plea or given in evidence on trial.

To prevent vessels from departing without clearances in open defiance of the law, he recommended that:

(1) The permission of collector be required before any vessel was bonded;

(2) The owner be considered as the man whose name appeared on the register or license;

(3) The collector be given power to seize unusual deposits;

(4) The use of gun boats, war vessels, and the building of ten or twelve additional cutters to enforce the embargo; and

(5) Use of militia on application of collectors to enforce embargo.

Other suggestions made by the Secretary of the Treasury were:

(1) Prohibition of exportation of specie;

(2) Detention of "wagons and other carriages laden and actually on their way to a foreign territory";

(3) Making the preparation of goods for exportation punishable;

(4) Trial of suits against collectors in the United States courts;

(5) "Making it a penal offense to take property which by virtue of any law of the United States is in the collector's possession";

(6) Allowing "the district judges to set aside, on motion of the district attorney," low valuations of property seized by United States officers vested with discharging the embargo laws, when by that low valuation the property reverted to the original owner; and

(7) Defining precisely by law the question of jurisdiction on the subject of mandamus.<sup>41</sup>

In accordance, for the most part, with Gallatin's advice, the last, longest, and most fiercely debated of the embargo acts was approved January 9, 1809. The first section declared that it was a violation of the law to "put, place, or load, on board any ship, vessel, boat, or water craft or into any cart, wagon,

<sup>41</sup> *The American Register*, Vol. IV, pp. 263-267.

sled, or other carriage or vehicle, with or without wheels, any specie, goods, wares, or merchandise, with intent to export, transport, or convey the same without the United States or the territories thereof, to any foreign place, kingdom, or country or with intent to convey the same on board any foreign ship or vessel within or without the limits of the United States or with the intent in any other manner to evade the acts to which this act is a supplement." Violation incurred the forfeiture of the produce and all conveyances used in its removal, and subjected all parties concerned to the crime of "high misdemeanors" and a fine, on conviction, "equal to four times the value of such specie, goods, wares, and merchandise." This section, however, was not to be so construed as to extend to persons other than the owners who first informed the collector of the district about the violation and made complaint. In order to encourage the giving of information half the fine was to be turned over to such persons.

The second section stated in detail the conditions under which ships might be loaded:

(1) A permit naming the articles to be loaded had to be previously obtained from the collector of the district concerned, or from a revenue officer specifically authorized by him.

(2) Lading must be under the inspection of the lawful revenue officers.

(3) Bond must be given by the owner, consignee or factor, and master to six times the worth of vessel and cargo that the vessel would not leave without a clearance, nor leaving, proceed to a foreign port, or place on board any article from another vessel.

(4) Entire cargo must be landed in a port of the United States designated in the clearance paper or reloaded in the port from which the vessel sailed.

The customs collectors were authorized to refuse permission to load any vessel when they believed there existed an intention to violate the embargo, or when they were so directed by the president. This section, however, did not apply to ships, vessels, and boats uniformly employed within waters subject to the jurisdiction of the United States. They came under the provisions of the fourth section.

The third section declared that the owners and consignees or factors of boats described above should, if the boats were laden in whole or in part, discharge their cargo or give bond. If the cargo was not discharged within ten days or the bond given within three days after the notice had been given, vessel and cargo were to be entirely forfeited. The collectors, however, were authorized to order cargoes discharged for the same reason as they might give for refusing to allow the further loading of vessels. They were likewise authorized to take possession of such vessels until the cargoes were discharged or bonds given.

The next three sections related to the granting of a general permission to vessels uniformly employed in waters within the jurisdiction of the United States if there was no danger of the embargo being violated and if bond had been given in due form. If the general permission and general bond were not first obtained and merchandise was taken on board contrary to law, the vessel together with the cargo was to be entirely forfeited. Moreover, the owner, agent, freighter, or factors, master or commander would "severally forfeit and pay a sum equal to the value of the ship, vessel, or boat, and of the cargo put on board the same."

If a new register or license was granted during the continuance of the embargo acts or if a ship neither registered nor licensed was sold, a bond to the United States with at least one surety to the amount of three hundred dollars for each ton of the vessel had to be required by the collector. These terms, however, did not apply to *bona fide* sales made before the act was passed either in the waters of the United States or in foreign waters.

The seventh section was particularly stringent. Vessels sailing from one United States port to another under the proper bonds were compelled, within two months after date of sailing, to bring to the port of clearing a certificate from the collector of the port designated declaring that the goods had been landed there. If the voyage was from New Orleans to an Atlantic port or vice versa, four months were allowed for producing the certificate. If the bond was not produced by the specified time, suit was to be instituted and judgment given



against the defendant unless proof could be given of the re-landing, "or of loss of the vessel at sea." Capture, distress, and other accidents were not allowed to be advanced unless they occurred under conditions carefully set forth.

The next section provided that a registered or sea-letter vessel could not, even though in ballast, receive a clearance or depart if the bond required for coasting trade had not been previously given.

The ninth section gave well-nigh absolute powers to customs collectors. They were instructed to seize specie or goods found on board any water craft when there was reason to believe such articles were intended for exportation. Likewise, if specie or goods were in vessels, carts, wagons, sleighs or any other carriage, or in any way presumably on the road to territories of foreign powers, or the vicinities thereof, or a place from which they were to be exported, they were to be seized. Permission for removal was not to be granted "until bond with sufficient sureties" had been granted to insure the landing of the articles in some part of the United States, where, in the opinion of the collector, there was no danger of the articles being exported.

The next section was designed to protect the collectors in the proper discharge of their duties. If suit was brought against any collector or his agent acting under the present embargo act, he could "plead the general issue, and give this act and the instructions and regulations of the President in evidence for his justification and defence." Any individual hurt by the collector's acts could file his petition before the district court having jurisdiction over the collector, state the facts, and after notice had been given to the collector and district attorney, have the court hear and judge "as law and justice may require." The judgment, reasons, and facts in the case were to be filed in the court records. If the case went against the collector, the party was required to give the usual bond or bonds. If, however, the court judged against the petitioner and in favor of the collector, the latter was entitled to treble costs "which shall be taxed for him, and execution awarded accordingly by the court."

In order to prevent armed resistance to the embargo laws



the president was empowered to use any part of the land forces, naval forces, or militia of the United States or its territories judged necessary to prevent the unlawful departure of vessels, provide for the detention and custody of ships, specie, or goods, and provide for the prevention and suspension of armed and riotous assemblages which resisted the custom house officers while exercising their duties, or in any way opposed carrying into effect the laws laying an embargo, or in any other way violated or assisted and abetted violations of the embargo laws.

The twelfth section dealt in detail with the question of penalties. The next section authorized the president to hire and arm thirty vessels, not exceeding one hundred and thirty tons each, for immediate service in enforcing the laws of the United States on the sea coast. This power, however, was limited to one year, and all ships were to be employed "under the direction of the Secretary of the Treasury."

The last two sections declared, in the first place, that the seventh section of the act of March 12, 1808, which allowed the president "to grant permission to citizens having property of value in places without the jurisdiction of the United States, to dispatch vessels for the same" should cease; and in the second place, that the act should be in force only so long as the original embargo act was enforced.<sup>42</sup>

The embargo regulations increased in severity as the above summaries show. The first act, brief and hurried, aimed only at the stopping of exports at sea. The act of January 8, 1808, was a longer act and prescribed minutely penalties of increasing severity for law violations. It included in its application coasting and fishing vessels. The act of March 12 attempted to stop all commerce with the world, whether by land or water. The act of April 25 was longer than any of its predecessors; it took up in detail the question of penalties which were increased in severity as the law increased in stringency, gave the collectors increased power, minutely regulated the Mississippi River trade, and, in short, attempted to stop absolutely all trade even with foreign nations whose territory bordered

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<sup>42</sup> *Annals of Congress*, Vol. 19, pp. 1798-1804.

on ours. The last act, that of January 9, 1809, was one of the most drastic ever passed by any Congress. Coasting vessels were required to give impossible bonds—six times the value of vessel and cargo, collectors were given despotic powers, and the right to plead capture, distress, or accident was well-nigh prohibited. It proved to be the death blow to the embargo system.

During the year 1808 the votes on the embargo varied little, but an analysis of two votes will be made in order to show the location of the opposition. The House, April 19, passed an embargo law by a vote of 60 to 38. Seven of the negative votes came from Connecticut, six from Virginia, four each from Pennsylvania, Maryland, and North Carolina, three each from Massachusetts and New York, two apiece from Kentucky and South Carolina, and one each from New Hampshire, Tennessee and Georgia. Thus, if the names are correctly recorded the South cast seventeen votes against the measure, New England eleven, the Middle States seven, and the West three. In other words more opposition was recorded to the embargo south of the Mason and Dixon line than north of it.<sup>43</sup> The Senate likewise passed the bill, apparently with little debate, on April 22, by a vote of 21 to 5. The negative votes were cast by Goodrich and Hillhouse of Connecticut, Mitchill of New York, Pickering of Massachusetts and White of Delaware. Thus, no Senate opposition was recorded south of Delaware.<sup>44</sup>

The growing agitation in the country had no apparent effect on Jefferson's control in Congress other than to unite the South in his support and to strengthen northern opposition. The enforcement bill passed first in the Senate December 21, by a vote of 20 to 7. The opposition votes were cast by Nicholas Gilman of New Hampshire, James Hillhouse and Chauncey Goodrich of Connecticut, James Lloyd and Timothy Pickering of Massachusetts, Elisha Mathewson of Rhode Island, and Samuel White of Delaware.<sup>45</sup> In spite of bitter debates in the House, the vote, January 6, 1809, was 71 to 32. Numbered in the negative, nevertheless, were votes from thirteen

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<sup>43</sup> *Annals of Congress*, p. 2245.

<sup>44</sup> *Ibid.*, Vol. 17, p. 372.

<sup>45</sup> *Ibid.*, Vol. 19, p. 298.

states, even though nineteen of the votes came from Connecticut, Massachusetts, and New York thus proving that economic pressure was greater there or loyalty to the administration less strong. Connecticut cast seven votes against the enforcement act; Massachusetts and New York six apiece; Pennsylvania, Virginia, and North Carolina two each; and Vermont, New Hampshire, Rhode Island, Delaware, New Jersey, Maryland, and Kentucky each cast one negative vote. South Carolina, Georgia, Tennessee, Ohio, and Louisiana offered no opposition.<sup>46</sup>

New England was strongly opposed to the embargo throughout the period. Hillhouse of Connecticut and Pickering, Livermore and Quincy of Massachusetts best represented this section. It should be noted, however, that some representatives as Cook and Bacon of Massachusetts at times supported the administration. Though more divided in sentiment than New England, the Middle States usually supported the administration. Some notable exceptions were Gardenier and Masters of New York, Key of Maryland, Bayard of Delaware, and Sloan of New Jersey. The South and West, while moderating their attitude as time passed, nevertheless supported the embargo policy, though several individuals as Randolph of Virginia, Troup of Georgia, and Lyon of Kentucky consistently or occasionally opposed it. The most prominent and influential representatives of the South and West, however, as Giles of Virginia, Macon of North Carolina, Williams of South Carolina, Johnson of Kentucky, and Campbell of Tennessee supported the embargo policy.

A few typical extracts from speeches made by a few of these men will be cited. In the House, on December 29, 1807, Edward St. Loe Livermore of Massachusetts, in opposition to the embargo discussed its effect on the fishermen. He declared that their living was precarious at best, and that throwing six thousand people out of employment was a serious evil. He said that surely a general embargo could not be intended to deprive them of their necessary work, a work that created "three millions out of nothing." "By suffering them to pur-

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<sup>46</sup> *Ibid.*, p. 538.

sue their avocations on the ocean," he asked, "did it permit these men to violate any existing law?"<sup>47</sup>

"As to its greatness," said Josiah Quincy, on April 19, in discussing the power and novelty of the embargo, "nothing is like it. Every class of men feels it. Every interest in the nation is affected by it. The merchant, the farmer, the planter, the mechanic, the laboring poor; all are sinking under its weight. But there is this peculiar in it; that there is no equality in its nature. It is not like taxation, which raises revenue according to the average of wealth, burdening the rich and letting the poor go free. But it presses upon the particular classes of society in an inverse ratio to the capacity of each to bear it. . . ."<sup>48</sup>

✓ On November 28, Quincy while speaking on foreign relations, made a strong attack on the embargo as a direct subservience to the views of the French emperor.<sup>49</sup> The measure came at a time, he urged, when the movement against Great Britain was most auspicious of success. In its operation, he declared, the American embargo was a coalition with France against British commerce. Changing his viewpoint, Quincy then declared that Great Britain's objects by her orders in council were: first "to excite distress among the people of the continent," and, second "to secure to herself that commerce of which she deprived neutrals." Our embargo, he said, cooperated with her views in both respects, for our abdication of the ocean deprived the continent of the advantages of commerce more than it would have been possible for the British Navy to effect. According to him, then, the United States played into the hands of Both France and England by passing the embargo.

In answer to Nathaniel Macon of North Carolina who had declared that he preferred three years of embargo to war and to John Clopton of Virginia who expressly stated that we should not allow our vessels to go upon the ocean again until the orders and decrees of the warring nations were rescinded, Quincy said:

Good Heavens! Mr. Chairman, are men mad? Is this House touched

<sup>47</sup> *Annals of Congress*, Vol. 17, p. 1248. William Milnor of Pennsylvania at once replied that "one of the principal objects of the embargo was to preserve our seamen" (*Ibid.*, p. 1252).

<sup>48</sup> *Ibid.*, Vol. 18, p. 2205.

<sup>49</sup> *Ibid.*, Vol. 19, pp. 534-547.

with that insanity which is the never-failing precursor of the intention of Heaven to destroy? The people of New England, after eleven months deprivation of the ocean, to be commanded still longer to abandon it, for an undefined period to hold their inalienable rights at the tenure of the will of Britain or of Bonaparte? A people, commercial in all aspects, in all their relations, in all their recollections of the past, in all their prospects of the future—a people, whose first love was the ocean, the choice of their childhood, the approbation of their manly years, the most precious inheritance of their fathers, in the midst of their success, in the moment of the most exquisite perception of commercial prosperity, to be commanded to abandon it, not for a limited time, but for a time unlimited—not until they can be prepared to defend themselves there, (for that is not pretended) but until their rivals recede from it—not until their necessities require, but until foreign nations permit! I am lost in astonishment, Mr. Chairman. I have not words to express the matchless absurdity of this attempt. I have no tongue to express the swift and headlong destruction which a blind perseverance in such a system must bring upon this nation.<sup>50</sup>

In answer to one of his colleagues, Ezekiel Bacon, who held that Massachusetts was not suffering so much as represented, that the lower prices of beef, pork, butter, and cheese tended to equalize the higher prices of tea, sugar, salt, West India rum, and molasses, Quincy asked:

But has my honorable colleague travelled on the seaboard? Has he witnessed the state of our cities? Has he seen our ships rotting at our wharves; our wharves deserted, our stores tenantless, our streets bereft of active business; industry forsaking her beloved haunts, and hope fled away from places where she had from earliest time been accustomed to make and to fulfill her most precious promises? Has he conversed with the merchant, and heard the tale of his embarrassments—his capital arrested in his hands, forbidden by your laws to resort to a market, with property four times sufficient to discharge all his engagements, necessitated to hang on the precarious mercy of moneyed institutions for that indulgence which preserves him from stopping payment—the first step towards bankruptcy? Has he conversed with the mechanic? Has he seen him either destitute of employment or obliged to seek it in labors odious to him, because he was not educated to them? . . .<sup>51</sup>

Quincy insisted that it was impossible to enforce the embargo laws, and that the appeal to patriotism was useless, for, said he: "You cannot lay a man upon the rack and crack his muscles by slow torment, and call patriotism to soothe the

<sup>50</sup> *Ibid.*, p. 538.

<sup>51</sup> *Ibid.*, pp. 538, 539.



sufferer.”<sup>52</sup> He next suggested a doubt as to the constitutionality of the embargo laws, declared them failures as measures of coercion against foreign powers, denied that they saved resources and insisted that repeal would not mean the payment of tribute. Three of his closing paragraphs are worth quoting entire:

However, suppose that the payment of this duty is inevitable, which it certainly is not, let me ask, is embargo independence? Deceive not yourselves. It is palpable submission. Gentlemen exclaim, ‘Great Britain smites us on one cheek,’ and what does the Administration? It ‘turns the other also.’ France and Great Britain require you to relinquish a part of your commerce, and you yield it entirely. Sir, this conduct may be the way to dignity and honor in another world, but it will never secure safety and independence in this.

At every corner of this great city, we meet some gentlemen of the majority wringing their hands and exclaiming, ‘What shall we do? Nothing but the embargo will save us! Remove it, and what shall we do?’ Sir, it is not for me, an humble and uninfluential individual, at an awful distance from the predominant influences, to suggest plans of government. But, to my eye, the path of our duty is as distinct as the milky way—all studded with living sapphires—glowing with cumulating light. It is the path of active preparation—of dignified energy. It is the path of 1776. It consists not in abandoning our rights, but in supporting them as they exist, and where they exist—on the ocean as well as on the land. It consists in taking the nature of things as the measure of the rights of your citizens, not the orders and decrees of imperious foreigners. Give what protection you can. Take no counsel of fear. Your strength will increase with the trial, and prove greater than you are now aware.

But, I shall be told this may lead to war. I ask, are we now at peace? Certainly not, unless retiring from insult be peace—unless shrinking under the lash be peace. The surest way to prevent war is, not to fear it. The idea that nothing on earth is so dreadful as war, is inculcated too studiously among us. Disgrace is worse. Abandonment of essential rights is worse.<sup>53</sup>

On the next day, November 29, Ezekiel Bacon of Massachusetts replied to Quincy’s speech. He urged that Quincy was not the only representative of Massachusetts and that embargo opponents had overstated the case though the people “have suffered and are now suffering much.” He urged that he had travelled through the state, visited in the cities, and talked

<sup>52</sup> *Ibid.*, p. 541.

<sup>53</sup> *Ibid.*, p. 547.



with more than one merchant who had himself as many of his ships rotting at the wharves as had most merchants of our country, and had found many of them, though suffering their full proportion of the general pressure of the time, satisfied that nothing better could have been done.<sup>54</sup>

Only one embargo opponent from the Middle States will be noted. On February 20, 1808, Barent Gardenier of New York attacked the embargo in a speech as virulent and insulting perhaps as any John Randolph ever made. He asserted:

The more the original measure develops itself, the more I am satisfied that my first view of it was correct; that it was a sly, cunning measure. That its real object was not merely to prevent our vessels from going out, but to effect a non-intercourse. Are the nations prepared for this? If you wish to try whether they are, tell them at once what is your object—tell them what you mean—tell them you mean to take part with the Grand Pacificator; or else stop your present course. Do not go on forging claims to fasten us to the car of the Imperial Conqueror.<sup>55</sup>

In spite of a call to order by the Speaker, Gardenier gathered heat as he continued. The two paragraphs which follow resulted in a second call to order and a hurried conclusion:

I am grieved to see that we are perpetually engaged in making additions and supplements to the embargo law. Wherever we can spy a hole, if it be no bigger than a wheat straw, at which the industry and enterprise of our country can find vent, all our powers are called into requisition to stop it up. The people of this country shall sell nothing but what they sell to each other. All our surplus produce shall rot on our hands. God knows what all this means! I, sir, I cannot understand it. I am astonished—indeed I am astonished and dismayed. I see effects; but I can trace them to no cause. Yes, sir, I do fear that there is an unseen hand which is guiding us to the most dreadful destinies—unseen, because it cannot endure the light. Darkness and mystery overshadow this House and this whole nation. We know nothing, we are permitted to know nothing. We sit here as mere automata; we legislate without knowing, nay, sir, without wishing to know why or wherefore. We are told what we are to do, and the Council of Five Hundred do it. We move, but why or wherefore no man knows; we are put in motion, but how, I for one cannot tell. . .

If the motives and the principles of the Administration are honest

<sup>54</sup> *Ibid.*, pp. 563, 564.

<sup>55</sup> *Ibid.*, Vol. 18, p. 1564. Remarks growing out of this speech led to a duel with G. W. Campbell in which Gardenier, the challenger, was wounded (*Rel's Philadelphia Gazette and Daily Advertiser*, March 5, and *Paulson's American Daily Advertiser*, March 7).

and patriotic, we would support them with a fervor which none could surpass. But, sir, we are kept in total darkness. We are treated as the enemies of our country. We are permitted to know nothing, and execrated because we do not approve of measures, the origin and tendency of which are carefully concealed from us! We are denounced because we have no confidence in the Executive, at the moment the Executive refuses to discover to us—even this House, nay, sir, this nation, its actual condition. Like the Israelites in Egypt, we are to make brick and find our own straw. We are to have faith, and find out our reasons for it. This course will do in this country no longer.<sup>56</sup>

On April 19, John Randolph of Roanoke declared that there were those who did not suffer from the embargo, that at least one hundred thousand barrels of flour had been shipped from Baltimore alone since the embargo was passed, that the embargo only furnished rogues an opportunity of getting rich at the expense of honest men, that bonds were forfeited, that speculators bought up property at half its value, that a premium was placed on dishonesty, and that morals were consequently lowered. He contended that flour was carried so freely to the West Indies that it became a point of honor not to tell on one another.<sup>57</sup> On November 30, Randolph drew a harrowing picture of the embargo effect on tobacco, which he summarized as “deplorable.”<sup>58</sup>

On the same day, R. M. Johnson of Kentucky in the course of a long speech<sup>59</sup> had declared that the West Indies were already feeling the pressure of the embargo, for flour had sold from twenty to sixty dollars per barrel, and that Great Britain was deprived of four million pounds worth of tobacco, cotton, wheat, and the substantials of life. We bought twelve million pounds worth of manufactured goods and received money by European trade to pay the balance of eight million pounds, he said. This trade was destroyed, he urged, not by the embargo, but by the orders in council.<sup>60</sup>

Embargo opponents, as John Randolph and Josiah Quincy, early cast doubts on the constitutionality of the embargo:

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<sup>56</sup> *Annals of Congress*, Vol. 18, pp. 1656, 1657.

<sup>57</sup> *Ibid.*, pp. 2239, 2240.

<sup>58</sup> *Ibid.*, Vol. 19, p. 598.

<sup>59</sup> *Ibid.*, pp. 581-590.

<sup>60</sup> *Ibid.*, p. 587.

hence some of the strong embargo supporters, as R. M. Johnson of Kentucky,<sup>61</sup> G. W. Campbell of Tennessee,<sup>62</sup> and D. R. Williams of South Carolina, took up the matter. The latter declared in part:

I contend that the power to lay an embargo is granted in the power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes! If you cannot prohibit commerce with a particular post or nation, of what avail is the power to regulate it? . . . The embargo is not an annihilation but a suspension of commerce, to regain the advantage of which it has been robbed; it follows that it is a constitutional regulation of commerce.<sup>63</sup>

It appears advisable just at this time, without further quotations, to summarize the principal Congressional arguments for and against the embargo. The main arguments for the embargo were: It preserves our seamen, property, and other resources, and gives adequate protection to our citizens. It will bring foreign nations to terms and force them to do justice to the United States. In the case of England it injures her manufactures by depriving her of raw materials, and undermines her naval strength through the loss of naval stores. France is injured through the loss of luxuries, and Spain, her ally, is injured even more. It will starve the West Indies and thus force the mother countries to repeal their obnoxious orders and decrees. Later, embargo friends contended that they could not have foreseen that the European nations would let their colonies starve. It prevents war without giving just cause for offense. Remove embargo, and war more costly than the present system is inevitable, said the embargo advocate. It encourages the developing of manufactures and the building of houses. It operates on all sections of the union. Later, when losses could not be denied, the blame was placed not upon the embargo, but upon the English orders and the French decrees.

The arguments against the embargo were more varied and more violent: It destroys our resources. Products of the farm and sea perish. Sailors and fishermen are leaving the

<sup>61</sup> *Ibid.*, Vol. 18, p. 2091.

<sup>62</sup> *Ibid.*, p. 2147.

<sup>63</sup> *Ibid.*, pp. 2129, 2130.

country. Agricultural prices and real estate are falling. Stay laws have to be passed. Speculation is rife. Money is driven out of the country. Interest rates are raised. Merchants are failing. Markets are lost. Towns are injured. Poor-houses and prisons are crowded. It is not effective. France laughs. England scarcely notices the measure. No warring country cares about our embargo. England has already won new markets. The only party seriously injured is ourself.\* It was passed in direct submission to Napoleon and was aimed at England. It is a recognition of a servile position, a surrender of sovereignty, and means loss of self respect. It has ruined agriculture and prostrated commerce. Ships are rotting at the wharves, and there is no compensating gain in manufactures. It operates unequally, for some sections of the country suffer more than others, and the poor are injured more than the rich. It dries up the government revenues. It is tyrannical, despotic, and indefinite in time of operation. It has already "federalized" New England and will, if continued, "federalize" the rest of the country. It cannot be enforced. Smuggling is going on continually. Courts will not convict and in many cases their sittings have been entirely suspended. It is unconstitutional and threatens the danger of armed opposition and a separation of the states.

Inasmuch as the avowed object of the embargo acts was to compel France and England to rescind their obnoxious decrees and orders in council, it will be worth while to make brief reference to the diplomatic correspondence. France tried to force the United States into the war against England; England, on the other hand, attempted to make the United States its ally against France.<sup>64</sup> Each tried to place the blame for our suffering on the other. William Pinckney, our minister to England, and General Armstrong, our minister to France, labored long but ineffectually to bring about the desired repeal. Apparently, the latter was the first to lose hope. On August 30, 1808, he wrote James Madison, our Secretary

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<sup>64</sup> See *American State Papers, Class 1, Foreign Relations*, Vol. III, p. 249 for M. Champagny's letter and *ibid.*, p. 221, for Madison's statement as to the desires of both countries.

of State, a brief note full of prophecy and good advice. It follows in part:

We have somewhat overrated our means of coercing the two great belligerents to a course of justice. The embargo is a measure calculated above any other, to keep us whole and keep us in peace; but, beyond this, you must not count upon it. Here it is not felt and in England (in the midst of the more recent and interesting events of the day) it is forgotten.

I hope that, unless France shall do us justice, we will raise the embargo, and make in its stead the experiment of an armed commerce. Should she adhere to her wicked and foolish measures, we ought not to content ourselves with doing this; there is much, very much besides that we can do and we ought not to omit doing all we can, because it is believed here that we cannot do much, and even that we will not do what we have the power of doing.<sup>65</sup>

The efforts of Pinckney and Madison to secure removal of the orders in council were more protracted but were equally unavailing. On September 23, Canning, the English Secretary, addressed two notes to Pinckney. One of these was perhaps the most sarcastic note ever sent by one diplomat to another. Canning held that while the embargo did not injure England it should not have been extended to her. The cutting part of the note, however, came especially in this paragraph:

His Majesty would not hesitate to contribute in any manner in his power to restore to the commerce of the United States its wonted activity; and if it were possible to make any sacrifice for the repeal of the embargo, without appearing to deprecate it as a measure of hostility, he would gladly have facilitated its removal as a measure of inconvenient restriction upon the American people.<sup>66</sup>

Pinckney's letter of December 28, 1808, to Canning, virtually closed the correspondence during the continuance of the embargo. It was very brief, only three sentences, but equally as ineffective as Armstrong's attempts for diplomatic victory in France and Pinckney's other diplomatic exchanges in England. The last two sentences follow:

It is perfectly true, as the concluding paragraph of your letter supposes me to believe, that the United States have viewed with great

65 *Ibid.*, p. 256. This was decidedly unlike the attitude of Pinckney, who a month later, September 21, sent Madison a long economic argument in favor of the continuance of the embargo (*Ibid.*, pp. 228-230).

66 *Ibid.*, p. 232.

sensibility the pretension of this Government . . . to levy imposts upon their commerce outward and inward which the orders in council of the last year were to constrain to pass through British ports.

But it is equally true that my Government has constantly protested against the entire system with which that pretension was connected, and has, in consequence, required the repeal, not the modification, of the British orders in council.<sup>67</sup>

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<sup>67</sup> *Ibid.*, p. 240.



## CHAPTER IV

### ECONOMIC EFFECTS OF THE EMBARGO ON WAR- RING NATIONS, ESPECIALLY ENGLAND AND HER COLONIES

So far as France herself was concerned the embargo did little harm. France was an agricultural country and self-sufficing. Prices of luxuries naturally went up, but this affected the common people only to a small extent. Manufactures were of little importance, for the industrial revolution had not yet begun, at least to any extent; hence the shutting out of cotton weighed little in the scale. Napoleon was well-nigh master of the continent and supplies of various kinds came in openly or by smuggling. Even some of the French soldiers whom Napoleon later led against Moscow were, it is said, clothed in English woollens and shod with English shoes.<sup>1</sup> On the French colonies the burden of the various commercial restrictions pressed harder, but had they pressed with ten times the weight on France and her colonies, had they deprived the people of needed food and left them half starved, the autocratic emperor would still have persisted in his decrees in the attempt to bring England to her knees. A man who would not hesitate to sacrifice thousands of his beloved soldiers on the altar of war could scarcely hesitate to let women and aged people suffer, provided the suffering pressed with equal or greater weight on his enemy.

In spite of Canning's sarcastic notes and the views of many writers, England suffered to some extent from the embargo, but not sufficiently to bring about the repeal of the offensive orders in council. Many writers and speakers ridiculed the measure. Frank Landon Humphreys wrote: "Europe viewed the act with sarcastic amusement, and England with its large commerce in every part of the world did not perceptibly feel

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<sup>1</sup> Gibbins, H. de B., *Industry in England*, p. 382.

the loss of the American market for its goods.”<sup>2</sup> Likewise various speakers in the American Congress claimed that the embargo had failed. In the Senate on November 21, 1808, in supporting a resolution for the repeal of the embargo, James Hillhouse of Connecticut declared that it had exercised no effect on France and little or no effect on England. Other markets, he claimed, were open to the latter. The West Indies, he held, would turn their sugar plantations into corn fields and we could not regain our trade, for other countries produced cheaper; in South America where cattle had formerly been killed only for their hides and tallow, he argued, beef would now be used; England would, he insisted, get her cotton from the East Indies and Africa; by her control of the sea, he said, all needed products would go to her, then, if any were left perhaps to other nations. He attempted to prove by past history that Americans would continue to use foreign goods and pointed out the futility of thinking that the embargo laws could be enforced over fifteen hundred miles of sea coast and a territory bordering on Canada.<sup>3</sup>

On February 14, 1809, in favoring the total repeal of the embargo in the Senate, J. A. Bayard of Delaware declared that it was not a measure against France, for the Emperor had commended it; and he never approved of measures which did not agree with his designs. The object, he held, as generally admitted was to coerce Great Britain. With regard to this attempt he said:

It seems now to be admitted, and the fact is too evident to be denied, that the embargo has failed in its coercive effect upon Britain. The lack of bread, cotton, or lumber, has neither starved her subjects nor excited them to insurrection. Some gentlemen have shrewdness enough to discover an effect in an English price current, which might, to be sure, have been owing to the embargo, or might have been produced by the operation on the market of some private speculations. But it has enriched Canada and has taught the islands their policy and ability to live without us.<sup>4</sup>

On January 2, 1808, Timothy Pickering wrote to Rufus King from Washington:

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<sup>2</sup> *Life and Times of David Humphreys, Soldier-Statesman-Poet*, p. 382

<sup>3</sup> *Annals of Congress*, Vol. 19, pp. 20-24.

<sup>4</sup> *Ibid.*, Vol. 19, p. 404.

Although the embargo is unquestionably levelled at Britain, and she might resent it, I trust she will not. By it we withdraw from the field, where alone we come in collision. She may be content quietly to enjoy the monopoly of commerce which we voluntarily abandon. I hope she will adopt this policy, which, to me, seems evidently the best for her and for us. I believe at the same time, it would disappoint our rulers, who would be more angry with the British Ministry if the repeal of the law should be required not by them, but by the clamours of our own suffering citizens refusing any denial.<sup>5</sup>

On the other hand, some writers believed, as did Jefferson and his entire cabinet at the start, that the embargo would bring England to terms. One of these, T. C. Amory, in speaking of the effect of the embargo on England, said:

England suffered in other ways than those mentioned by Mr. Madison from the embargo [loss of naval stores and food stuffs]. Already more than one-half of the sixty-one million pounds of cotton consumed in her mills were of American production, and the annual balance of our trade in her favor amounted to eight millions sterling. Our markets were important to her manufactures, our ports afforded a convenient shelter for her fleets. Moreover, there was sensible ground for apprehension that, under its continued pressure, distress would force us into a French alliance; and, if not very formidable by ourselves, we should have greatly contributed to the strength of Napoleon. . . .<sup>6</sup>

Studies of prices in England during this period show that the embargo was not entirely without effect, though to be sure, these variations may have been due in part at least to such influences as private speculations, hoarding, fluctuations in the currency, and the successes or failures of the English arms. Most people, nevertheless, will admit that a limitation of the supply, unless accompanied by a corresponding decrease in demand, causes an increased price. According to John MacGregor the average price of sperm oil per ton was £93 in 1807, £111 in 1808, and £120 in 1809; the average price of common oil was, for the same years, £29, £41, and £48.<sup>7</sup> Carolina rice of a certain grade advanced from 32 to 96 per cent, 1807-1808; Georgia bowed cotton-wool more than doubled; and Virginia tobacco of a certain grade advanced from 200 to

<sup>5</sup> *Life and Correspondence of Rufus King*, Vol. V, p. 45.

<sup>6</sup> *Life of James Sullivan with Selections from His Writings*, Vol. II, p. 258.

<sup>7</sup> *The Progress of the Nation*, Vol. II, p. 609.

256 per cent in value. Further advances also occurred for most grades in 1809.<sup>8</sup>

The cotton prices of November and December, 1808, and January and February, 1809, were double those of the corresponding months in the previous years. The following table indicates the prices:

	1807		1808		1809	
	Bowed	Sea Island	Bowed	Sea Island	Bowed	Sea Island
January	16 -17d	25-26½d	13½-14d	25½-29d	31½-32d	69d
February	16½-17½	25-28	14 -16	26½-29	27 -28½	57
March	17½-19	27-29	14½-15½	27½-30	25 -27	48
April	17 -17½	28-30	15 -16	27½-30	18 -20	33 -34
May	16½-17¾	27-28	18 -19½	28 -31½	16 -16½	27 -30
June	16½-17½	27-28	18¼-19	27	13½-15	24¾-27
July	17½-18	26-27	20½-22	29 -36	14½-15½	25 -28¾
August	15 -16½	26-27	21 -22½	36 -42	16¾-17	27 -27½
September	14½-16½	24-26½	24 -30	36 -42	16 -18	24 -26
October	12½-15½	24-27	31 -33	48	18 -19	28½
November	13 -14½	24-26	30 -31½	52	19 -21½	28 -29½
December	13 -14	24-26	31 -32	52 -60	20½-22	29 -30

Liverpool imported 143,756 bags of cotton from the United States in 1807; 25,426 in 1808; and 130,581 in 1809.<sup>9</sup>

The English Labour Department in 1902 made a report on wholesale and retail prices in the United Kingdom and gave statistical tables for a series of years. The average price for the imperial quarter of wheat in 1806 was 79s 4d.; in 1807, 75s 4d.; in 1808, 81s. 4d.; in 1809, 97s. 4d.; in 1810, 106s. 5d. For the same years the average price for barley was 38s. 8d.; 39s. 4d.; 43s. 5d.; 47s; and 48s. 1d.; for oats 27s, 7d.; 28s. 4d.; 33s. 4d.; 31s. 5d.; and 28s. 7d.<sup>10</sup>

It must be remembered, of course, that England was well-nigh self-supporting in grain at this time and that she held control of the sea and could carry the necessary products for herself without the aid of the United States. At the Royal Hospital of Greenwich, a 280 pound sack of wheat flour cost 82s.3d. in 1805; 69s.7½d. in 1806; 63s8¾d. in 1807; 69s.10½d.

<sup>8</sup> Tooke, T., *A History of Prices*, Vol. II, pp. 407, 409, 418.

<sup>9</sup> Daniels, G. W., has the best account of this trade in an article entitled "American Cotton Trade with Liverpool Under the Embargo and Non Intercourse Acts." This article is found in the *American Historical Review*, Vol. XXI, pp. 276-287. The table is on page 287.

<sup>10</sup> Labour Department's *Report on Wholesale and Retail Prices in the United Kingdom in 1902, with Comparative Statistical Tables for a Series of Years*, p. 70.

in 1808; 85s.1½d. in 1809; and 88s.4d. in 1810.<sup>11</sup> The assize price per quartern loaf of bread in the city of London was 10¼d. October 27, 1807; 11d. March 22, 1808; 1s. June 21, 1808; 1s.3½d. November 21, 1808; 1s.3½d. February 28, 1809; and 1s.1¼d. June 6, 1809. The latter was the lowest price reached during the year. The highest price during 1807, 1808, and 1809 was set on October 3, 1809 at 1s.5d.<sup>12</sup>

It will thus be observed that the price increased after the embargo was passed and enforced, and that soon after its repeal the low point of the year was reached. Many of the sugar importations had been carried by American ships, but England with her control of the sea could supply the need; hence the price of sugar was not affected to a great extent. Nevertheless, the price did increase a little, 1807-1809. Thus the average price per hundred weight of unrefined sugar, exclusive of the duty, was 51s.8d. in 1805, 43s.9d. in 1806, 34s.1d. in 1807, 38s.8d. in 1808, 46s.3d. in 1809, and 49s.1d. in 1810.<sup>13</sup> By taking the prices in 1782 as the standard prices and the number of price quotations as 39, Professor Jevons gets the following index numbers: 1805—132; 1806—130; 1807—129; 1808—145; 1809—157; 1810—142. The low point for the thirty year period, 1792-1821, was 91 in 1816 after the wars and restrictions were over.<sup>14</sup>

English papers and magazines admitted scarcity, showed high prices, and in some cases attributed the bad conditions directly to the embargo. The following tables, compiled from the *Gentleman's Magazine and Historical Chronicle*, show variations in the prices of articles not imported directly to any great extent from the United States:

<sup>11</sup> *Ibid.*, p. 99.

<sup>12</sup> *Ibid.*, p. 218.

<sup>13</sup> *Ibid.*, p. 218.

<sup>14</sup> *Ibid.*, p. 450.



Average prices for England and Wales by which exportation and bounty were regulated

Wheat	Rye	Barley	Oats	Beans	Peas	Oatmeal	Time
s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
69 3	46 1	38 10	29 2	55 10	74 6	39 9	Jan. 16, '08
81 8	57 10	44 7	37 11	62 9	69 6	51 11	July 16, '08
89 6	60 1	44 2	32 1	64 8	73 10	47 1	Dec. 17, '08
92 9	64 6	44 4	31 9	60 10	67 1	48 5	Feb. 18, '09
90 6	61 10	43 6	30 8	58 10	56 9	50 0	May 20, '09
88 1	56 9	42 5	29 1	55 7	56 11	49 5	July 22, '09
100 5	61 0	46 8	31 1	58 0	61 4	51 9	Sept. 16, '09

Flour per sack				Sugar per cwt.		
Fine	Seconds	Time		33s	7d.	Time
55-68s.	55 to 60s.	Jan. 25, '08		33s	7d.	Week ending Jan. 20, '08
66	55 to 60	July 26, '08		41	0½	July 20, '08
85	75 to 80	Dec. 24, '08		49	8d.	Dec. 21, '08
85	75 to 80	Feb. 20, '09		49	0¼	Feb. 22, '09
75 to 80	70 to 75	May 22, '09		38	10d.	May 24, '09
75	65 to 70	July 24, '09		40	10¾	July 26, '09
95 to 100	90 to 95	Sept. 25, '09		47	7	Sept. 20, '09 <sup>15</sup>

By keeping in mind the date of the embargo and the various supplemental laws to enforce it, the reader will notice that prices of commodities for which England was only slightly dependent on the United States rose after the passage of the embargo and fell with its repeal, although, to be sure, non-intercourse caused a further rise later on.

Good crops in 1808, it should be noted, relieved the pressure of the embargo in England. A letter, dated at Manchester, July 22, and addressed to an American read in part:

In regard to Agriculture, we never had a more luxuriant season—Pasture and mowing grass in abundance—the crops of Grain and Potatoes promise well, and notwithstanding the Embargo in the United States, *Wheat* is decreasing in price, Potatoes 2/6 per bushel and expected to be down to 1/3.<sup>16</sup>

Another Manchester letter dated October 4, 1808, said:

The crops are very abundant in everything. Oatmeal, the last fortnight, has fallen from 58 shillings per load (of 240 lbs.) to 47 shillings. Flour is 55 shillings per load (of 240 lbs. equal to wheat at 12) per Winchester bushel. Potatoes have got down very low, the last three weeks; they have sold at fifteen pence the Winchester bushel, for the

<sup>15</sup> *The Gentleman's Magazine: and Historical Chronicle*, for 1808 and 1809, Vol. 78; pp. 95, 663, 1135; and Vol. 79; pp. 191, 487, 687, 895.

<sup>16</sup> *Boston Gazette*, September 22, 1808.



common, and eighteen pence (equal to 33 cts.) for the better sort. The crops of hay have been very abundant and well got in.<sup>17</sup>

If, however, in spite of good crops, those commodities for which England was only slightly dependent upon the United States varied to some extent, what may be expected with regard to such articles as tobacco and cotton? Pinckney's letter of September 21, 1808, to Madison already alluded to pointed out some of these effects but more will be given now. During the early months of 1809 John Trumbull wrote several letters to Rufus King. In these letters he discussed economic conditions in England. Since he was opposed to the embargo, rather free quotations will be made from his letters. On January 8, 1809, he wrote from Falmouth:

I am informed by Mr. Fox here, that the price of corn has been falling for some weeks past, and not the least apprehension of scarcity is now entertained; since threshing commenced, the crop proves to have been much less damaged than was at one time apprehended. The quartern loaf (4 lbs. & 5 oz.) now sells at a shilling.

The price of Hemp is enormous, £170 the ton, but Government have large supplies in store; considerable quantities have found their way from Russia thro' the means of neutrals, & the India Company have contracted to furnish 1000 Tons, the arrival of part of which is soon expected. Tallow, (a Russian article) has been very high, but is falling rapidly in consequence of importations from Brazil. Cotton is also rather falling in value in consequence of some arrived & large quantities expected from Brazil and India. Pilchards, of which immense quantities are annually caught on this coast, and usually sent to the Mediterranean, are now shipping for the West Indies. . . .<sup>18</sup>

On February 12, 1809, Trumbull wrote to King from London. He said, in part:

You will judge of the danger to which this country is exposed from the want of corn by the following returns of the Corn Exchange:

Nov. 26th, 1808, Wheat, 75/ to 90/. Flour, 75 to 80/.

Feby. 6th, 1809, Wheat, 75/ to 90/. Flour, 75 to 85/.

Several cargoes of Cotton have arrived within these few days from America and some Tobacco, in defiance of the Gunboats. Hemp, Timber, & Flaxseed are very dear. Shipments of British Manufactures are making at Liverpool for America almost equal in extent to what is done in common times.

<sup>17</sup> *Ibid.*, December 19, 1808.

<sup>18</sup> *Life and Correspondence of Rufus King*, Vol. V, p. 124.

27th Feby.—Numerous Cargoes of Cotton & Tobacco have lately arrived from the U. S., principally consigned to Baring & said to be owned by them. These arrivals have essentially affected the price of Cotton, which is now dull.<sup>19</sup>

On April 5, 1809, Trumbull again wrote to King from London, in part as follows:

The price of Corn and Flour is gradually falling, Cotton is at /18 d. a pound; Tobacco at /9 d.; Flaxseed fallen from £20 to £5, and the country generally in prosperity. . . Farmers on old leases grow rich, and as leases fall in, the Rents are generally raised by the offers of the farmers themselves from 50 to 100 p. et. Thus the proprietor of the soil becomes much richer than he was, and the farmer is of course satisfied.

The Result of our Supernatural Wisdom will be to satisfy, first the World and finally ourselves, that the importance of America in the scale of Nations has been very much over rated—and when our national vanity is a little lowered, we shall certainly be a more estimable people—thus things work together for good.<sup>20</sup>

Trumbull's sarcastic comments were, no doubt, due in part, to the effect of the embargo on his pocket book, but even his statements show that the embargo and Napoleon's scheme, of which many Federalists believed the embargo to be a part, did affect prices and economic conditions in England. This was particularly true, as Trumbull intimated, of hemp, tallow, flaxseed, tobacco, and cotton. Possibly the limitation in the supply of the latter was the greatest effect produced in England by the embargo. Nevertheless, even English writers admitted that the prices of goods which Great Britain obtained from the United States went up when the embargo was passed and fell when it was repealed. Such a statement needs no confirmation, but one quotation appearing in a London magazine of June, 1809 will be given:

Upwards of seventy American vessels have entered different British ports during the last week, with cargoes so very large as to occasion an almost instantaneous reduction in the price of flour, cotton, tobacco, rice, staves, pitch, turpentine, etc. A description of cotton, called bowed Georgias, which sold at 3s. during the embargo, is now so low as 1s. 2d., and was expected to have a further depression in the course of a few days.<sup>21</sup>

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<sup>19</sup> *Ibid.*, p. 144.

<sup>20</sup> *Ibid.*, p. 150.

<sup>21</sup> *The Gentleman's Magazine: and Historical Chronicle*, Vol. 79, p. 572.

The exact cost of the embargo to England can not be definitely known. According to an exaggerated statement in the *National Intelligencer* of May 1, 1809, the embargo advanced the price of flour from \$7.50 per barrel to \$15, increased the price paid for other provisions and raw materials, and lessened manufactures. Estimating the advanced price paid for provisions at \$15 for each of six million people, (the total population was fourteen million) the loss occasioned England on foodstuffs alone, it was claimed, amounted to ninety million dollars.

The movement of goods from American ports decreased from \$108,343,150 in 1807 to \$22,430,960 in 1808, or more than 79 per cent. The exports to Great Britain fell from \$31,015,623 in 1807 to \$5,183,297 in 1808, or more than 83 per cent.<sup>22</sup> The value of the imports into the United States in 1807 was \$138,500,000 but only \$56,990,000 in 1808, or a decrease of over 58 per cent; the dutied imports from England fell from \$38,901,838 in 1807 to \$18,818,882 in 1808 or about 52 per cent.<sup>23</sup> Thus, it will be noticed that in spite of the prohibition of importation of fine goods by Nicholson's act,<sup>24</sup> the import trade decreased less than the export and the English trade decreased less than the general import trade. Many of the articles imported into the United States were just as regularly re-exported to the West Indies, perhaps to the amount of ten or fifteen million dollars worth each year, a sum practically equivalent to the value of the goods imported duty free from England. This trade was now naturally thrown back into English hands.

According to Henry Adams, the best authority on this

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22 MacGregor, John, *The Progress of the Nation*, Vol. II, pp. 881-883. These exports were in the last three months of 1807, as Gallatin points out, for the subsequent exportations were forbidden by the embargo (*Annals of Congress*, Vol. 19, p. 913).

23 Pitkin, T., *Statistical View*, p. 202.

24 See *United States Statutes at Large*, Vol. II, p. 469. The act of February 27, 1808 was supplementary to the act of April 18, 1806 (*Statutes at Large*, Vol. II, pp. 379-381). The act of 1808 prohibited the importation of all articles manufactured "entirely of silk and wool, or of silk and flax, or of flax and wool; floor cloths; woolen cassimeres, carpets, carpeting and mats, whose invoice price shall exceed five shillings sterling per square yard." Both of these acts were repealed by the act of March 1, 1809 (*United States Statutes at Large*, Vol. II, Sec. 17, Page 532).

period, the true consumption of the United States was not over thirty-five million dollars, and the loss of this trade was partly offset to England by gain in freights, recovery of seamen, and by smuggling. Napoleon's decrees reduced the purchasing power to the extent of perhaps ten million dollars. If the British merchants made a profit of twenty per cent on the American trade, their loss was not over five million dollars. This sum, of course, was not vital when England's expenditures amounted to three hundred and fifty million dollars a year and her export trade to almost two hundred million dollars. Moreover, notwithstanding the embargo and non-importation law, the exports of Great Britain were worth two million dollars more in 1808 than in 1807.<sup>25</sup>

Evidently new markets were opened. As previously stated, England began to increase her trade with other parts of the world as Africa, India, the East Indies, and South America, especially Brazil. In October, 1807, Napoleon ordered the Portuguese government to make war on England and confiscate all English property. When that government refused to obey the second part of the order, the dictator ordered General Junot to invade Portugal and take charge of affairs. Thereupon the members of the royal Portuguese family sailed for their Brazilian empire. Naturally numerous articles were now imported to Brazil from England and increasing exports went to England from Brazil.

Moreover, the Spanish revolt against Napoleon, Joseph, and the French in July, 1808, threw open the Spanish South American colonies to English trade.<sup>26</sup>

Thus good markets and high prices for woolen manufactures and other goods, according to a Manchester letter of October 4, were found in South America.<sup>27</sup> A man in London wrote to a Savannah merchant concerning the developing of British

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<sup>25</sup> *History of the United States*, Vol. IV, pp. 328, 329. Professor L. M. Sears in an excellent article entitled "British Industry and the American Embargo" in the *Quarterly Journal of Economics*, November, 1919, (page 108) estimates the net loss of imports from Europe, Africa, and America, as £1,668,633 and the net loss in all exports as £405,276 out of a total of £35,007,501. He points out (page 110) also the disturbance in exchange occasioned by the embargo and quotes gold as eighty shillings per ounce in 1807 and ninety-one shillings in 1808.

<sup>26</sup> Robinson and Beard, *Development of Modern Europe*, Vol. I, pp. 328, 329.

<sup>27</sup> *Boston Gazette*, December 19, 1808.

trade in South America and the losses of the United States under date of October 7, 1808, in part as follows:

We see a number of British ships going out to Charleston and your place, in expectation no doubt of getting cotton in East Florida, which will pay them well, for it is getting in great demand here, notwithstanding the market is daily fed by arrivals from the Brazils, in very considerable quantities—those fortunate adventurers, who sent out cargoes of Dry Goods to the Brazils, have returned with Rice and Cotton, and cleared upwards of 100 per cent profit. It grieves us to see the Brazil rice coming in and some of it very fine, fetching 44 shillings per cwt.—cost 5 shillings there. Good God! What is the Embargo for, but to throw the United States back 50 years, and divert all their trade to other channels. It is folly to talk of the freedom of the seas to a country, who has nearly destroyed the navies of the world, and got almost all the remainder into her possession—you think the embargo will be off in November. We think not, and that it will continue until a General Peace. Sea-Island Cotton, 3s. 6d. to 4s. 6d. per lb., upland 3s.; Rice, 40 to 45s. per cwt.<sup>28</sup>

The opening of these new markets naturally did much to offset English losses from the American embargo. In fact, Professor Channing, a gifted student of this period, goes so far as to say: "It fell out in this way, therefore, that the embargo proved to be a positive benefit to British shipowners and exporters."<sup>29</sup> Professor Channing, however, probably goes too far, at least if the *Edinburgh Review*, July, 1809, is to be trusted in its remarks on British salvation:

We allude to the opening of Spain and Portugal, and our military expeditions in these countries—the struggle made by Sweden, and the increased communication with Brazil and Spanish America—not to mention the fact that the year which gives this amount of loss comprehends the period when shipments were made on both sides, before the operation of the embargo, and when hazards were run by neutral adventurers upon the presumption that neither of the regulations would be enforced as they actually were. Had it not been for these circumstances, our loss of trade in consequence of the Orders would probably have been more than double what it actually was; and this boasted "cure" for our commercial embarrassments would in all probability, have reduced our

<sup>28</sup> *Paulson's American Daily Advertiser*, January 13, 1809.

<sup>29</sup> *The Jeffersonian System*, pp. 228, 229.



whole foreign trade to a little wretched smuggling in Europe and America.<sup>30</sup>

It must not be supposed that the embargo rested lightly or profitably on all classes of English society. The farmers and merchants who profited from high prices and profiteering were near to official England and could loudly voice their satisfaction. On the other hand, the poor factory workers had no representation. If they rioted because of the high cost of living, low wages, or the closing of shops incident to the loss of American cotton, they were put down with cruelty and their complaints were scarcely given a hearing. They were unorganized, without political rights, and had few defenders; hence they were obliged to suffer. Many did suffer, as the increasing sum used for poor relief showed. In 1803 and 1804 the average sum expended was £4,268,000; in 1811. it was £5,923,000; in 1813-1815 when the restrictions and war had produced their full effect, the poor rates averaged £6,130,000.<sup>31</sup> The brief summary by Henry Adams is worth quoting in entirety:

Probably at least five thousand families of workingmen were reduced to pauperism by the embargo and the decrees of Napoleon; but these sufferers, who possessed not a vote among them and had been in no way party to the acts of either government were the only real friends Jefferson could hope to find among the people of England; and his embargo ground them in the dust in order to fatten the squires and ship owners who had devised the Orders in Council. If the English laborers rioted, they were shot; if the West Indian slaves could not be fed, they died. The embargo served only to lower the wages and the moral standard of the laboring classes throughout the British empire, and to prove their helplessness.<sup>32</sup>

The effect of the embargo on English manufactures was undoubtedly harmful. The merchants and manufacturers of Liverpool petitioned Parliament for the repeal of the orders in council. One of the arguments used was that the United States normally bought over ten million pounds worth of English manufactures, but that she could not continue this

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<sup>30</sup> Quoted by Sears, L. M., in "British Industry and the American Embargo" (*Quarterly Journal of Economics*, November, 1919, pp. 111, 112).

<sup>31</sup> Adams, Henry, *History of the United States*, Vol. IV, pp. 329, 330.

<sup>32</sup> *Ibid.*, p. 330.



when her markets were closed. In a discussion in the House of Commons on March 7, it was stated that there was only sufficient silk in the country to last for six weeks and that probably sixty thousand industrial workers would be thrown out of employment in a short time. It was claimed, moreover, that the usual importation of flax seed amounted to sixty thousand hogsheads and that only ten thousand had been received. A number of merchants of London presented a petition to Parliament asking to be heard by counsel against the British orders. The request was rejected by a vote of 99 to 66.<sup>33</sup>

Petitions for the repeal of the orders continued. Nearly two hundred thousand English subjects protested against the "Orders of Council aimed at our Commerce." Many feared a revolt in the West Indies as well as disturbances in England.<sup>34</sup>

As time passed, however, new outlets were found for manufactured goods, new sources of raw material obtained, violations of the embargo increased, and adjustments to new conditions occurred. Of course, allowance must always be made for the editorial views of newspapers. Keeping this in mind, we may quote from a letter written July 22 by a Manchester gentleman. It reads, in part: "Our trade is very good—we have as many orders as we can execute—of course the Weavers are fully employed and contented. . ."<sup>35</sup>

Another Manchester letter dated October 4, 1808 referred to the fortunate effect of Napoleon's decrees in causing an assignment of cotton yarn consigned to Hamburg to be returned, and emphasized the beneficial effects of the good markets and high prices for manufactured goods in South America.<sup>36</sup> Brazilian cotton increased rapidly at the expense of the American.<sup>37</sup>

Administration newspapers, to be sure, did not agree with the decreasing pressure of the embargo. Thus one quotes a

<sup>33</sup> *National Intelligencer*, April 25 and 29, 1808.

<sup>34</sup> *Wilmington Gazette*, June 7, 1808.

<sup>35</sup> *Boston Gazette*, September 22, 1808.

<sup>36</sup> *Ibid.*, December 19, 1808.

<sup>37</sup> *Ibid.*, December 22, 1808.

Liverpool letter dated January 1, 1809, which declared in part:

Your embargo is severely felt here. We shall be deprived of Bread during the present winter. All our flour has been consumed, and we have no hopes of receiving a supply. The people have attributed their distress to the British government. They are satisfied that the measures of your government are in support of your just rights, and there are hundreds here ready to emigrate to the United States if they possessed the means.<sup>38</sup>

Again, we read the following item dated New York, April 18:

Our letters from Liverpool, to March 1st, state, that notwithstanding the supplies recently received, all articles of American produce bore very high prices. Some cottons were rated at a dollar and a quarter per lb. The common cottons at about 57 cents. Flour, March 1st, was at 12½ dollars the American barrel. There is no part in England in which the American embargo is so severely felt as in Liverpool.<sup>39</sup>

The same paper, two days later, recounted the fulfilled prophecies with regard to the embargo's effect on England:

1. Diminished manufactures.
2. Lessened trade.
3. Decreased taxes from imports.
4. Lack of naval supplies.
5. Harmful effects on colonies.

The immediate result, the *Intelligencer* contended, was the demand for repeal. The Spanish Revolution prevented the full effects, it admitted, but nevertheless it declared: "We repeat it, then, the revocation of the British Orders is strictly attributable to the Embargo."<sup>40</sup>

Though this view seems to be erroneous, an English opposition paper declared:

As far as Ministers have it remaining in their power, they have endeavored to retrace their steps towards America. Necessity has compelled them to attempt what pride absolutely forbid; and in order to preserve the shattered remains of our commerce with the United States, they have so new-modelled and altered the *Orders in Council*, as that the measure amounts to a revocation of them with regard to America; and we hope it has not been done too late to be attended with very beneficial consequence.<sup>41</sup>

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<sup>38</sup> *Baltimore Evening Post*, January 30, 1809.

<sup>39</sup> *National Intelligencer*, April 24, 1809.

<sup>40</sup> *Ibid.*, April 26, 1809.

<sup>41</sup> *Independent Whig*, May 7, 1809.

One point—the effect of the embargo on the West Indies—deserves more attention than is usually given to it. Earlier tables given in Chapter I show the prosperous commerce of the United States with those islands; later tables in Chapter IX will show how this trade was specifically affected. Here it merely remains to point out that since those islands were largely dependent upon the United States for foodstuffs, the embargo measure caused intense suffering by running prices to a famine height. Even the English West Indies suffered, for England had her hands full in Europe. English writers admitted this; hence they hailed with delight the renewed trade with Spain. One of these writers declared in October, 1808:

Letters from Jamaica and Demerara speak of the renewed and active intercourse between our settlements and those of Spain; and that the scarcity which began to be felt in some of our Islands in consequence of the embargo in America, had been removed, by prompt and abundant supplies from our new allies.<sup>42</sup>

Naturally, far stronger claims concerning the effects of the embargo on England, France, and the West Indies were made in the debates in the United States Congress and in the administration newspapers than were likely to be admitted by European writers. Nevertheless, these statements were disputed by the enemies of the embargo. On April 14, 1808, D. R. Williams of South Carolina spoke in the House in favor of the retention of the embargo. He contended that the prices of England's imports, on cotton, tobacco, lumber, wheat, flour, rice, pot and pearl ashes, tar, pitch, flaxseed, hemp, and hides were raised, due to the embargo, for £9,615,161 worth of her imports came from the United States. The loss of the American cotton alone, he held, was a heavy blow to England. He maintained, moreover, that most of England's imported flour—ninety thousand barrels at Liverpool alone—came from the United States. He insisted also that Great Britain needed American shipping for her West India trade.<sup>43</sup> In addition, he argued that the embargo was impartial, and hence deserved

<sup>42</sup> *Gentleman's Magazine: and Historical Chronicle*, Vol. 78, pp. 938, 939.

<sup>43</sup> *Annals of Congress*, Vol. 18, pp. 2130-2132. According to Sears, L. M., in an article previously quoted, the embargo diminished British corn, grain, and meal imports from £920,435 in 1807 to £146,119 in 1808 (*Quarterly Journal of Economics*, November, 1919, p. 105).

support on that ground, for it affected the French and Spanish West Indies. The French marine, he declared, was annihilated.

How, [he asked,] can she supply her West Indies with subsistence? How can France be supplied with the product of her West Indies, coffee and sugar, or with the product of the East? Nowhere, but through American bottoms; they must starve if you have resolution enough to hold on to the embargo.<sup>44</sup>

On April 19, 1808, John Randolph of Roanoke, who was then opposed to the embargo, referred to the excessive smuggling carried on, whereby flour was supplied to the West Indies. "Every arrival from the West Indies," he insisted, "tells you of the cargoes of flour carried in, until it becomes a point of honor not to tell of one another."<sup>45</sup> On November 28, 1808. Edward St. Loë Livermore of Massachusetts, also an opponent of the embargo, declared, in referring to the effect on the West Indies, "With all the energy with which this wise measure has been armed by your countless embargo laws, I have not heard of a single poor West India negro being starved by it."<sup>46</sup>

Two days later, November 30, R. M. Johnson of Kentucky, a friend of the embargo, declared that the people of the West Indies could not live without supplies from the United States, and that flour there had already sold for twenty to sixty dollars a barrel. Taking up the trade of the United States with Great Britain, he declared that the latter was deprived of four million pounds worth of tobacco, cotton, and the substantial of life. He insisted that we bought twelve million pounds worth of English manufactured goods and got money by the European trade to settle a balance of eight million pounds. This trade, he reiterated in common with the other friends of the embargo, was interrupted not by the embargo, but by the English orders in council which had given rise to it. He declared that when weavers and tailors, by hundreds and thousands, had assembled to protest against the orders in council in a peaceable sort of way "they were welcomed home to see their families starve by the sound of the cannon,

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<sup>44</sup> *Annals of Congress*, Vol. 18, p. 2132.

<sup>45</sup> *Ibid.*, p. 2240.

<sup>46</sup> *Ibid.*, Vol. 19, p. 552.

and some of them killed." He tried to ridicule Canning's sarcastic comment on the embargo, "as a measure of inconvenient restriction upon the American citizens," by referring to the proclamation inviting and encouraging Americans to violate the embargo.<sup>47</sup> Said he:

The arms of His Britannic Majesty opened to receive smugglers: Come in, all ye heavy-laden with provisions, and I will give you rest! Whether you have papers or not, you shall not be molested. Thus, protection is offered to the smuggler, whilst the *bona fide* merchant must be driven from the ocean or fall a sacrifice to the Orders in Council.<sup>48</sup>

In the Senate, on December 21, James Hillhouse of Connecticut, in opposing the embargo, cited numerous instances of violation. He quoted from a Captain Seovel, who arrived in New York on December 12 from St. Pierre, Martinique, and Antigua to show that vessels arrived there daily from the South, especially from Virginia. This smuggling, of course, helped supply the West Indies and kept the price of food down, but, nevertheless, while Captain Seovel was at Martinique, a Virginia pilot boat schooner arrived with 750 barrels of flour which were sold at thirty dollars a barrel. At Antigua in four days three vessels arrived from Virginia with full cargoes of flour. At St. Kitts he saw a Virginia schooner, which had partly unloaded a cargo of flour at Barbados, dispose of the remainder at a better price.<sup>49</sup>

The papers of the period contained numerous references to prices of products in the West Indies. Administration newspapers generally referred to high prices; anti-administration papers passed by conditions, or at least did not emphasize them. The immediate effect, however, was to cause increases in all places wholly or partially dependent on American products. As soon as news of the embargo reached Havanna, flour rose from twelve to twenty-five dollars per barrel. At St.

<sup>47</sup> *Ibid.*, pp. 587, 588.

<sup>48</sup> *Ibid.*, p. 589.

<sup>49</sup> *Ibid.*, p. 286. According to John Howe's letter of June 7 to Sir George Prevost, flour had sold in French Guadeloupe at ninety dollars a barrel, and could with difficulty be procured at that price. This was, however, exceptional (*American Historical Review*, Vol. XVII, p. 90).



Croix it rose from six to fourteen dollars, "and other provisions in proportion."<sup>50</sup>

It will, of course, be impossible to refer to the effect of the embargo on all the islands off the southeastern coast of the United States, but a few will be mentioned. It must be noted that at times prices were very high, but that a large import of food would cause reductions. Prices in Jamaica were high on March 30. Flour was then reported at twenty-five dollars per barrel in Kingston, forty at St. Croix, and thirty-two in Trinidad.<sup>51</sup>

The captain of the schooner *West Indian*, who arrived in Baltimore September 10 from Jamaica, declared that the embargo was severely felt there, that flour sold for forty-eight dollars per barrel, cod fish for thirty-nine per hundred weight, and every article of necessity at a proportionate price.<sup>52</sup> Reports in the early winter of 1808, however, indicated that flour was retailing at eighteen dollars per barrel, the average price in the best of times, and that lumber was plentiful. The legislature was considering, with every prospect of passage, a bill laying an import duty on all American products. Concerning this the writer said:

Thus we are forced to the humiliating confession, that while our embargo is oppressive and ruinous to our own citizens, it has had the effect abroad of inducing those who formerly depended on us for numerous necessary supplies, to resort to other channels for support; and not only this, but to draw from them a law subjecting to heavy import duties, those very articles which we vainly imagined were indispensable to their existence.<sup>53</sup>

At St. Croix flour was quoted at sixteen dollars per barrel, beef at thirteen, and pork at twenty-six early in the year.<sup>54</sup> Towards the close of March, however, flour had advanced to forty dollars per barrel and beef and pork were also high.<sup>55</sup> In May flour had fallen to thirty-six dollars a barrel. Corn

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50 *Northampton Republican Spy*, February 24, 1808.

51 *Miller's Weekly Messenger*, May 21, 1808.

52 *National Intelligencer*, September 14, 1808.

53 *Relf's Philadelphia Gazette and Daily Advertiser*, December 19, 1808.

54 *National Intelligencer*, February 22, 1808.

55 *Miller's Weekly Messenger*, May 21, 1808.



meal was one hundred dollars a hogshead.<sup>56</sup> "We are at present well supplied with provisions," declared a St. Croix letter dated September 10, 1808.

There are from 6,000 to 7,000 bbls. of flour here—price \$18 to \$20, beef \$20, pork \$24, and no sales. We have also some lumber, but if the embargo continues until March, this article will be high, as our supplies from Canada and Nova Scotia are trifling—but as to provisions, we make out astonishingly well.<sup>57</sup>

A letter from St. Croix, dated December 1, 1808 read, in part:

We are all in anxiety here for the event of your embargo. If continued, it will be ruinous to this, as well as to every other island depending on you for lumber. One-third of the estates have not materials in the lumber way. I am now delivering pitch pine scantling to be converted into staves. I hope soon to see the American colours again in our harbour. Prices quoted, viz:

Flour per cargo, 21 to 22 dollars, by retail 25 to 30.

Prime Beef, 24 dollars.

Pork 36 to 40.

Candles, 8 bits or 64 cents per lb.<sup>58</sup>

An unsigned letter from Havana, dated August 23, stated that the people could get all necessary provisions from Vera Cruz, Campeachy, Spain, and England, and intimated that the Cuban ports would probably be forever closed against the United States if the embargo were not repealed within two months.<sup>59</sup> But a Charleston item dated October 14 read: "Flour is very scarce at Havanna, there being no recent arrivals from Vera Cruz. A brig from Philadelphia for New Orleans, was sent into Havanna about three weeks since, with 300 barrels of flour, which sold for 55 dollars per barrel."<sup>60</sup>

Early in the fall of 1808 flour at Guadaloupe was said to be down to eighteen dollars a barrel because of arrivals from France. Other provisions, nevertheless, remained high.<sup>61</sup> On January 13, 1809 flour was quoted at sixty dollars per

<sup>56</sup> *Wilmington Gazette*, June 7, 1808.

<sup>57</sup> *United States Gazette*, October 8, 1808.

<sup>58</sup> *Richmond Enquirer*, January 31, 1809.

<sup>59</sup> *Boston Gazette*, September 22, 1808.

<sup>60</sup> *National Intelligencer*, October 28, 1808.

<sup>61</sup> *Ibid.*, November 4, 1808.

barrel in Surinam, herrings at twenty, salmon at forty-eight, mackerel at six, salt at sixteen, oil at three dollars per gallon, tobacco at eighty cents per pound, rice at twenty-four, cod fish at twenty, pitch and tar as scarce, and lumber as unobtainable. The products of the island were quoted: molasses sixteen cents, sugar five dollars per hundred weight, cotton sixty-two cents per pound, coffee at twenty-eight and cocoa as scarce.<sup>62</sup>

A letter dated Bermuda, March 3, 1809, declared that the embargo was severely felt in that island, that many people were without bread, that corn had not been on sale for a month or six weeks, and that flour was very scarce and selling at over thirty dollars per barrel.<sup>63</sup>

A letter from Barbados, dated June 9, declared in part:

Since our last flour has declined in price, in consequence of the importation by the fleet being very considerable.

We have plenty of salted provisions from Ireland, and cheap, and an overstock of both dry and pickled fish from Halifax and Newfoundland.

You have calculated erroneously in America, if you expect to starve the British Island by your Embargo. We are beginning to find that we are perfectly independent of your supplies; and we have reason to think that the only great sufferers by this would-be starving system, will be yourselves.<sup>64</sup>

Another letter from the Barbados, dated October 22, declared that there was a glut of provisions and flour in those islands. The writer insisted that there were seven thousand barrels of flour in the Barbados market, that corn was selling at \$1.50 and fish at \$4.50, and that the price of West India produce was rising.<sup>65</sup>

The effect of the embargo on the territory adjoining the United States is worthy of notice. At first the effect on Florida was decidedly harmful. Thus a letter from a Georgia gentleman dated March 14, 1808, read:

"The embargo has had its effect on the citizens of Mobile and Pensacola. They are almost in a state of starvation. Corn is 4 dollars a bushel; bacon 50 cents per lb.; lard 1 dollar

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<sup>62</sup> *Paulson's American Daily Advertiser*, February 22, 1809.

<sup>63</sup> *National Intelligencer*, March 3, 1809.

<sup>64</sup> *Boston Reperetory*, July 12, 1808.

<sup>65</sup> *New York Herald*, December 17, 1808.

per quart; fowls 9 dollars per doz. . .'<sup>66</sup> With the coming of the new crops, supplies from the Spanish territory, and increased smuggling, however, conditions in the Floridas improved.

From the outset, apparently, Canada prospered at the expense of the United States. A letter from Quebec, speaking of the beneficial effects of the embargo concluded: "God grant that your Embargo Law may continue forever."<sup>67</sup> "Your Embargo may ruin your own Merchants and many others," wrote a Halifax gentleman under date of May 25, "but if it is continued, will make the fortunes of the traders in this province. . ."<sup>68</sup>

"In proportion as the Northern (or Commercial) States suffer by Mr. Jefferson's Embargo," declared the same paper a little later, "we see *Nova Scotia* and *Canada* rising into wealth, strength and importance;—and every paper from the British provinces exhibits numerous clearances for the *West Indies* and *Europe*, loaded with provisions and lumber of all kinds. Before the *Embargo* was laid we were the exclusive carriers of those articles;—and it would then have been considered almost as great a curiosity to see clearances of the above kind, from British ports, as it would now be to see whales spouting in Lake Champlain. . ."<sup>69</sup>

Canadian merchants also profited by the handling of goods intended for the United States. According to the *New York Evening Post* there were six arrivals at Quebec on June 12 from London and Liverpool. These vessels had full cargoes of dry goods. "Before the embargo," declared the writer, "such a thing was hardly known. There is little doubt that the greatest part of these goods will find their way into the United States without adding a cent to our revenue."<sup>70</sup>

An article in a Boston paper referred to the prosperity of Halifax and the reported talk of sending Jefferson fifty or sixty barrels of flour with the request that he remain firm in the embargo.<sup>71</sup> A Philadelphia paper declared that the owners of vessels in Halifax and St. John were preparing a valuable piece of plate to present to President Jefferson as soon as his

<sup>66</sup> *Connecticut Courant*, May 4, 1808.

<sup>67</sup> *Philadelphia Gazette and Daily Advertiser*, May 12, 1808.

<sup>68</sup> *Boston Gazette*, June 16, 1808.

<sup>69</sup> *Ibid.*, June 27, 1808.

<sup>70</sup> *United States Gazette*, July 7, 1808.

<sup>71</sup> *Reperetory*, June 24, 1808.

term had expired in acknowledgment of the help they had received from the American embargo.<sup>72</sup>

A small wave of emigration set in from the northern states to Canada. This wave passed through Buffalo during June, July, and August. The people, hoping to escape the embargo calamities, went by families in wagons and carts.<sup>73</sup> A letter from Upper Canada, dated February 1, referred to the larger number of emigrants, especially from Pennsylvania.<sup>74</sup>

Immense quantities of produce were shipped from Quebec during July and August. Over one hundred and fifty vessels which had entered the St. Lawrence were soon to be dispatched with full cargoes. The Canadian merchants were beginning to believe that Canada would soon be a powerful rival of the United States.<sup>75</sup>

The papers of the period contain frequent reference to money leaving the United States by the hundred thousand. Said a writer from Quebec, November 28: "The immense sums of money brought into circulation, and the number of artificers, tradesmen and labourers employed, in the various works of utility and ornament, at present going forward must be attended with incalculable benefit to the province."<sup>76</sup>

According to report, one observer declared, as quoted under a Boston date of January 14, 1809, that on his return from Canada, just accomplished, he had counted seven hundred sleighs between Montreal and Middlebury, in Vermont. Those going to Canada were loaded with provisions, potash, etc. "We hope those returning," said the article, "were bringing back a part of the Five Million of dollars, which have found their way out of the United States since our wretched Embargo system was adopted."<sup>77</sup>

The embargo stimulated the planting of wheat in Canada, led to the erection of potash works in large number, and encouraged immigration. "Many more United States citizens

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<sup>72</sup> *United States Gazette*, December 8, 1808.

<sup>73</sup> *New England Palladium*, September 13, 1808.

<sup>74</sup> *Paulson's American Daily Advertiser*, February 27, 1809.

<sup>75</sup> *United States Gazette*, September 14, 1808.

<sup>76</sup> *New England Palladium*, December 23, 1808.

<sup>77</sup> *Paulson's American Daily Advertiser*, January 20, 1809.

would come," said a Canadian letter of February 1, 1909, "but are unwilling to dispose of their property at the reduced price occasioned by the Embargo; and here we can perceive an advance and an eagerness to purchase."<sup>78</sup>

Only one other article on Canadian prosperity will be quoted. It was dated Montreal, February 5, and addressed to a citizen of Providence. The writer said:

On my arrival here on the 26th of January, I was credibly informed that a few days before, more than eight hundred loaded sleighs crossed Lake Champlain in one day, destined from the United States for this flourishing place. On market days, which are Thursday and Saturday, it is very difficult to pass the streets near the market, on account of the prodigious number of sleighs, filled with provisions, which crowd every space and avenue. Provisions, in general, are very cheap; a good turkey may be purchased for 38 cents, a pair of fat fowls for 34 cents, large white hares for 8 and 10 cents, a good mutton, of excellent flavor, for 1 dollar and 50 cents, beef for 8 cents per lb., butter for 12 cents per lb., loaf sugar for 17 cents per lb., and a variety of other articles equally cheap. Sleighs are coming in daily, and every house is so thronged with Americans, and others, who are continually coming in, that genteel boarding is very dear.<sup>79</sup>

It has been found impracticable in a work of this scope to attempt a detailed discussion of the economic effects of the embargo in all the countries of western Europe and in all the West Indies, but a careful examination of the newspapers listed in the bibliography makes it appear obvious that the price of American goods and goods of which the United States was the principal carrier advanced to some extent. This increase naturally depended to a large extent on the scarcity of the goods and the demand for them. Farmers in Europe received a higher price for their products; hence the embargo did not injure them. Many European merchants found new markets for their products and hence were not hurt.

The manufacturers and factory workers, however, suffered severely, for part of their market was shut off and, also, and more important, there was a decided decrease in the amount of available raw cotton. This decrease caused cotton mills to be closed down, threw men out of work, and increased the num-

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<sup>78</sup> *Ibid.*, February 27, 1809.

<sup>79</sup> *National Intelligencer*, March 22, 1809.

ber of people wholly or partially dependent on charity for support. Consumers least able to meet the higher prices thus had to bear the brunt of the embargo. With regard to the foreign dependencies of the European nations, with few exceptions, the most notable being Canada, there was decided suffering due to high prices resulting from the scarcity of American goods and foodstuffs. This was especially true of the West Indies. Naturally, however, the European nations cared little for conditions in their distant possessions when they were locked in a life and death struggle. The embargo as an economic means of forcing the European nations to rescind their obnoxious orders and decrees was consequently a failure.



## CHAPTER V

### ATTITUDE OF THE COUNTRY TOWARDS THE EMBARGO

This chapter, with the following one, will discuss in detail the growing opposition of the country to the embargo from its passage in 1807 till its repeal in 1809.

Probably the most powerful molder of public opinion in the embargo period was, as it is now, the press. Many of the most influential papers were opposed to the embargo; hence they aided in arousing sentiment against it. Four of these papers will be quoted at this time. A Boston paper contained a bitter attack which read in part:

Our government seems now to have arrived to the ne plus ultra of its defensive measures; an Embargo! Blessed Administration. Duane was right, though we thought he insulted the country, when he said, that like our own mud tortoise we must draw ourselves into our shell, and there lie. Yes—the Philistines are upon us; France frowns, but we must not be trusted to our yankee indignation; there must be no collision with her; we must stay at home and starve, lest from the treatment we should receive by venturing abroad, we should be compelled to resist her.<sup>1</sup>

The same article predicted low prices for agriculture, declared that Jefferson had stated that the embargo would ruin only two hundred and fifty thousand merchants, and remarked: “We lament most sincerely, that in this country, where good living is so cheap, good sense is so dear.”<sup>2</sup>

Another Boston paper published, with approval, a letter beginning:

The act laying the *Embargo* being the law of the land, it becomes the duty of every loyal citizen to *obey* all its provisions. But at the same time, it is the *right* and the duty of every American Citizen to point out the impolicy of the measure, in order that those who have made the Law may be convinced of its injustice, and repeal it. . .<sup>3</sup>

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<sup>1</sup> *Reperetory*, December 29, 1807.

<sup>2</sup> *Ibid.*, December 29, 1807.

<sup>3</sup> *Columbian Centinel*, January 6, 1808.

A New York paper contended, about a month after the passage of the embargo, that the states had the same right to resist oppression as the colonies had enjoyed.<sup>4</sup>

Two days later a Philadelphia paper published the following item on the embargo:

“What a necromantic word this is,  
With what a shock it comes, and what a quiz:  
Divide it into three, and it will shew,  
When read backwards, the mandate of that law  
Go Bar 'Em.”<sup>5</sup>

The pressure of the embargo, of course, was first felt in the commercial cities. Sailors were deprived of their occupations. Many of them lived from hand to mouth at best; hence if they could not get other work, they had to beg or starve. Relief was not adequate for the numerous applicants.

Naturally these men banded together more or less in their attempts to get succor. Thus, on January 7, 1808, in Boston eighty to one hundred sailors carrying a flag at half mast marched with martial music to the governor's house and demanded work or bread. After Governor James Sullivan had talked to them awhile, however, they dispersed quietly.<sup>6</sup>

In Philadelphia, on January 16, 1808, a crowd of discontented, hungry, and penniless sailors met together, and marched to the City Hall under the flag. There they made their appeal to the mayor, Robert Wharton, and asked what they should do. He replied that they “constituted an unlawful assembly” and ordered them to lower the flag under whose folds they had marched through the streets. After he had given this order, he expressed pity for their condition, said that it was not now in his power to give them aid, that the government thought that the embargo was necessary, and that they ought to separate quietly. He added, however, that the Chamber of Commerce had the matter of relief under consideration. T. R. Cope, one of the promoters of the scheme, nevertheless, failed in his effort to obtain an appropriation

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<sup>4</sup> New York *Herald*, January 28, 1808.

<sup>5</sup> *Paulson's American Daily Advertiser*, January 30, 1808.

<sup>6</sup> Amory, T. C., *Life of James Sullivan with Selections from his Writings*, Vol. 11, pp. 259-260.

of five thousand dollars for their relief. For a while the sailors were cared for by private subscription, but by April these subscriptions had ceased. The sailors, in large part, after further appeals, went to other places, many to Halifax, Nova Scotia, where they entered the British service.<sup>7</sup>

Philadelphia's interests were rapidly turning from commerce to manufacturing; hence it must not be supposed that the city was entirely opposed to the embargo. The measure was lauded as one which would encourage manufactures and foster independence. On November 17, 1808, the manufacturers and mechanics held a dinner in the room formerly occupied by the United States Senate to celebrate the improved prospects of industry. Colonel Humphreys of Connecticut was present. John Dorsey, the president of the festival, appeared in an American broadcloth suit. On January 23, 1809, after the embargo had been in effect over a year, the friends of the act held a meeting in the State House yard in its praise.

Eight days later, the opponents of the measure held a meeting at the same place. They characterized the continuance of the embargo laws as "unjust, impolitic, and oppressive" on the people of the United States, and the measure itself as "weak, inefficient, and useless" as a method of coercion. The meeting was not a peaceable one, for various attempts were made to break it up. Several hundred Democrats with drums beating and colors flying tried to storm the platform. One thousand sailors drove them back. The invaders, however, stood as near the platform as they were allowed to and by beating the drums and hissing, tried to keep the resolutions from being heard. Seven hundred dollars were, nevertheless, raised for the relief of distressed seamen.

Throughout the period the various factions quarreled, but the Democratic legislature of Pennsylvania supported Congress. One resolution of the legislature went further than Congress had gone, for it recommended that members of the next legis-

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<sup>7</sup> Scharf, J. T. and Westcott, T., *History of Philadelphia*, Vol. I, p. 530. See *Paulson's American Daily Advertiser*, January 18, 1808, for a brief account of the mayor's speech which began, "I pity you from the bottom of my heart," and closed, "May God bless you all."

lature "appear in clothes of domestic manufacture."<sup>8</sup> A similar resolution in the national House of Representatives, April 25, 1808, raised such protests that it was quickly withdrawn.<sup>9</sup>

New York suffered equally with Boston from the embargo, but her opposition was not carried so far. Federalist newspapers, of course, denounced the measure, and numerous meetings early protested against it. One of the late protests came from a general meeting of Federalist young men called on Saturday, November 12, 1808. The following resolutions were unanimously passed:

Resolved, That the embargo is an oppressive and ruinous measure, operating only with destructive energy on ourselves, while it has rendered us objects of the contempt and ridicule of that nation against which it was invidiously directed, but whose interest it now particularly subserves.

Resolved, That its continuance, in the present state of the world, will tend to the complete prostration of the agricultural and commercial interests of our country.

Resolved, That dreading the consequences of seeking redress of our grievances in any other than a constitutional way, we pledge ourselves to each other and to our suffering fellow-citizens, to use all our zeal, influence, and activity, to promote a change of men, by which alone we can expect a change of measures.<sup>10</sup>

Especially did the embargo harm the poor in New York and other cities. Naturally those injured, for the most part, hated the measure. An interesting and pathetic item from a New York country newspaper, written thirteen months after the passage of the measure, follows:

*Distress of the poor.* No person possessed of the common feelings of humanity can read the account given of the suffering poor, in the city of New York, without being sensibly affected. Many hundreds of honest, industrious citizens have been flung out of employment by the embargo and have no honest means to which they can resort to support themselves and families. To procure bread for their children, they have sold their furniture and clothing, until they are left almost naked and destitute. Never (says the writer of an address to the citizens) did our city contain so many objects of misery!

The exertions which have, and are still making by the humane and

<sup>8</sup> Scharf, J. T. and Westcott, T., *History of Philadelphia*, Vol. I, pp. 531-539.

<sup>9</sup> *Annals of Congress*, Vol. 18, pp. 2283, 2284.

<sup>10</sup> *Scott's Magazine; Edinburgh Literary Miscellany*, January, 1809, Vol. 71, p. 55.

benevolent to seek out objects of distress and afford them relief, will draw upon them the blessings of many.<sup>11</sup>

† During the operation of the embargo there was more or less opposition between the North and South growing out of embargo differences. A letter dated Salem, June 3, 1808, took up the possibility of a non-consumption agreement of the suffering commercial states that henceforth during the operation of the embargo they "refrain from the use and consumption of any flour, the produce of any state south of Pennsylvania and Delaware." "This would indeed be an unsocial measure," the writer admitted, "and we hope it will not be a necessary one."<sup>12</sup>

Apparently there was some talk in the South of taxing northern products. Thus an item in a Boston paper read:

*The Baltimore Whig* says the Southern States could make us beggars by taxing our produce. It is not very magnanimous thus to remind us, suffering as we are what party controls the majority in Congress. But are we to consider it as a *favour* that our produce is not taxed exclusively? Are we not at all indebted to the positive provisions of the Constitution? To be sure the embargo regulations as to our *coasting* trade operate as a *tax*; but their *constitutionality* is doubted by many.<sup>13</sup>

‡ In various southern points there was discontent with the embargo. On January 3, 1808, John R. Donnell wrote to A. D. Murphey from Newbern, North Carolina: "The merchants of this town appear a good deal ruffled at the news of an Embargo. We are in doubt concerning the cause of this Embargo. It is the opinion of many that we shall have a war with France; which opinion is corroborated by the declaration of Bonaparte that there shall be no neutrals."<sup>14</sup>

John Lambert, who wrote such vivid pictures of the effect of the embargo on New York City, also described conditions in Charleston, South Carolina. According to him, there were over a thousand people, who, deprived of their work by the embargo, had become very riotous. Unable to pay for their room and board, the landlords had turned them out after their

11 Catskill *American Eagle*, February 1, 1809.

12 Boston *Gazette*, June 6, 1808.

13 New England *Palladium*, December 2, 1808.

14 Publication of the North Carolina Historical Commission, "The Papers of Archibald D. Murphey," Vol. 1, p. 17.



money was gone. For several nights they paraded the streets in large bodies. Some robberies were committed and a few negroes were murdered. In spite of a strengthened city guard it was so dangerous to go out at night that the corporation finally published a proclamation forbidding any sailor to be out of his lodging house after seven o'clock at night, and advertised that any sailor who was out of work might go on board the sloop *Hornet* and the United States gunboats, where they would receive food and be at liberty to leave when they chose. Only sixteen went, and several of those soon returned because of floggings they had received. Soon after this, the English consul advertised that British seamen might have a free passage home in British ships bound for Europe. Over four hundred of the rioting seamen sailed for Europe.<sup>15</sup>

Newspapers, of course, were filled with references to the sufferings of the sailors, and especially to their enforced exile. Two sailors met one morning on a business street in Hartford. "Holla! messmate," said one, "where are you bound?" "Bound to Halifax by the pipers," replied the other, "Which way are you steering?" "By the powers of Moll Kelly," came the answer, "I am steering the same course, for there's no standing this dambargo any longer."<sup>16</sup>

A Savannah item of February 2, 1808, declared that the City Council and Chamber of Commerce, meeting on January 30, had taken into consideration the situation of sailors "thrown out of employ by the Embargo." The decision was to send the northern seamen home free and to support the southern seamen, who, however, were to be compelled to work.<sup>17</sup>

Towards the close of March, the citizens of Norfolk were called together by the mayor to consider measures necessary in order to relieve distressed sailors in that place.<sup>18</sup>

Three months of the embargo deprived 8712 sailors of po-

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<sup>15</sup> Lambert, John, *Travels Through Canada and the United States of North America in the Years 1806, 1807 and 1808*, Vol. II, p. 162.

<sup>16</sup> *Connecticut Courant*, January 13, 1808.

<sup>17</sup> *Philadelphia Gazette and Daily Advertiser*, February 19, 1808.

<sup>18</sup> *Paulson's American Daily Advertiser*, March 25, 1808.



sitions in foreign trade and rendered idle half of those formerly employed in the coasting trade.<sup>19</sup>

Of course opposition newspapers capitalized as much as possible the harmful effects to commerce through exaggerating those effects and also the importance of trade. An interesting item in a Massachusetts paper of April 11, 1808, read:

Farmers, Merchants, Mechanicks, Seamen, Widows, Orphans. What has hitherto supported our political family?

Commerce!

What has afforded the means of reducing our National Debt, and paying the Interest on our Loans?

Commerce!

What has given Wealth and Consequence to the United States, but

Commerce!

When this living spring, this redundant source of public prosperity and private happiness is wantonly cut off—When the Farmer can no longer sell his produce—When the merchant is compelled to abandon his traffic—When the Seaman is driven from the face of the Ocean, and the Mechanic is deprived of his accustomed occupation—What will be the substitute, but

Taxes!

Poverty!

Imprisonment!

Civil Discord!

Ruin!<sup>20</sup>

Grass actually began to grow on busy river and ocean wharves,<sup>21</sup> but the greatest loss was the continued emigration of the sailors. By the middle of the summer few were left in Charleston, South Carolina.<sup>22</sup> A long poem of thirty stanzas, modelled after Gray's famous elegy, appeared in the *Boston Gazette* of July 10, 1808. Commerce was characterized as dead and the sailors fleeing. A Quebec item of June 3 read in part: "Between forty and fifty able bodied American seamen lately arrived here in vessels from Philadelphia."<sup>23</sup> A Philadelphia paper also referred to the numerous sailors who were leaving the United States for Halifax and elsewhere.<sup>24</sup>

<sup>19</sup> *Ibid.*, April 12, 1808.

<sup>20</sup> *Boston Gazette*, April 11, 1808.

<sup>21</sup> *Connecticut Courant*, May 25, 1808.

<sup>22</sup> *New England Palladium*, June 14, 1808.

<sup>23</sup> *Boston Gazette*, July 10, 1808.

<sup>24</sup> *Pautson's American Daily Advertiser*, July 19, 1808.

One paper, with considerable exaggeration, declared that the sailors were forced to seek employment of Great Britain and that in all probability there were not one thousand seamen left in the United States.<sup>25</sup> Another New England paper also lamented the hundreds of sailors forced by the embargo to take service under a foreign flag.<sup>26</sup>

Administration papers, on the other hand, tried to point out beneficial effects of the embargo. Thus, the Baltimore *Evening Post* of March 24 in answer to the *Federal Republican* said:

We say that the embargo has preserved our seamen; and that no man can, with justice, deny it. Hundreds of seamen have various trades; they are at work at these, and cannot in a moment abandon them, admitting they feel perfectly free to risk themselves among the harpies of Europe.<sup>27</sup>

With fish well nigh unsalable and a large supply on hand, fishermen naturally suffered as did the sailors. Prices went down and the fish deteriorated. An article of interest read:

*Embargoed Fish.*—It is ascertained there are at this moment in Boston, (says the Centinel of Saturday [April 21]) Two Hundred Thousand quintals of Fish—which must either be exported or destroyed before the hot weather sets in or the health of the town will be exposed. This quantity of fish before the embargo laws passed, was worth at \$3, per quintal. Thus, if the embargo is not speedily taken off, there will be a dead loss to the public of \$600,000.<sup>28</sup>

Another paper reported a few months later that fish which had cost \$4400 before the embargo sold for six hundred dollars after the embargo.<sup>29</sup>

+ As might have been expected, the hard times occasioned by the embargo led to an increase in crime especially, in the North. Thus, because of several attempted robberies in Philadelphia the citizens established paroles.<sup>30</sup> A letter from Augusta, Maine, dated March 19, referred to the burning of the gael and a large tavern house nearby, and the attempt to fire the courthouse on the evening of the sixteenth. "The turbulence of the people in this quarter," added the letter, "is in a great meas-

<sup>25</sup> *Massachusetts Spy or Worcester Gazette*, September 28, 1808.

<sup>26</sup> *Boston Gazette*, November 21, 1808.

<sup>27</sup> *National Intelligencer*, April 10, 1809.

<sup>28</sup> *Philadelphia Gazette and Daily Advertiser*, April 8, 1808.

<sup>29</sup> *New England Palladium*, September 30, 1808.

<sup>30</sup> *Ibid.*, January 26, 1808.

ure engendered by the distressing effects of the Embargo; idleness and poverty inducing to disorder."<sup>31</sup>

Again, murder was sometimes attributed to the embargo. A man named James Clark was killed "by the *Jefferson and Embargo* mob."<sup>32</sup> Robberies and violence of all kinds continued to be attributed to the embargo.<sup>33</sup> Tar and feathers were liberally applied to one man who opposed the Republicans.<sup>34</sup>

Another paper declared that the embargo had produced an immense influx of counterfeit bank bills in New England and innumerable footpads, burglars, and midnight incendiaries in New York.<sup>35</sup>

Once in a while, people even attacked prisons and released men held there for the violation of the embargo laws. An Augusta paper reported that a number of women at Castine, Maine, effected the release of several prisoners.<sup>36</sup>

Naturally, petitions by the hundreds were sent to the various members of Congress by their constituents. They came in greatest number from New England and New York, but practically every state in the union was represented. All wanted exemption from the operation of the embargo or the repeal of the embargo laws. The arguments of these petitions, particularly those of the fishermen, have already been referred to. Instances of the use of petition, however, will be cited again. On January 4, 1808, Mr. Porter of Pennsylvania presented a petition from certain Philadelphia traders urging that vessels loaded and cleared before receiving notice of the passage of the embargo act be permitted to sail for the places to which they had cleared, or that Congress grant them such other relief as might be deemed proper.<sup>37</sup> On March 11, Mr. Mumford presented a memorial from some merchants of New York City, asking for permission to export a certain quantity of flaxseed

31 Boston *Columbian Centinel*, March 30, 1808.

32 *Ibid.*, May 4, 1808; *Connecticut Courant*, May 11, 1808.

33 *New England Palladium*, September 13, 1808.

34 *Ibid.*, October 28, 1808.

35 *Massachusetts Spy or Worcester Gazette*, December 28, 1808.

36 *Paulson's American Daily Advertiser*, December 30, 1808.

37 *House Journal*, 10th Session, p. 106.

to Ireland.<sup>38</sup> On April 5, three petitions from Massachusetts were presented asking that fish be exempt from the embargo.<sup>39</sup> On April 11, Josiah Quincy brought in four others to a like effect;<sup>40</sup> on April 16 another;<sup>41</sup> and on April 25 still another.<sup>42</sup>

Newspapers, of course, fanned the flame for repeal by the circulation of inflammatory articles or of clever and catchy questions and comparisons. Three will be noted. The following catechism appeared in a Boston paper in March, 1808:

- q. Why is the Embargo like sickness?
- a. Because it *weakens* us.
- q. Why is it like lameness?
- a. Because we can't go.
- q. How is it like fire?
- a. Because it consumes our substance.
- q. How is it like a whirlwind?
- a. Because we can't tell certainly, where it came from, or where it is going; it *knocks down* some, *breaks* others, and *turns everything topsy turvy*.
- q. How is it like the hydrophobia?
- a. Because it makes us *dread the water*, and bark like the dog that bit us.
- q. How is it like *broken bones*?
- a. Because it stops us from going at present, and leaves us cripples hereafter.
- q. How is it like *madness*?
- a. Because we can't *reason* with it.
- q. If we spell it backwards, what does it say?
- a. O Grab Me.<sup>43</sup>

A writer signing himself "Ethan Allen" in a Connecticut paper propounded the following item, widely copied:

#### A PIG CASE

*Under the supplemental Embargo Law humbly submitted to his honor the President of the United States.*

This fag-end of the Embargo goes to prohibit the farmers of Vermont and New Hampshire from driving their swine into Canada for sale. Now suppose a man should drive a herd of hogs close up to the line of the

<sup>38</sup> *Ibid.*, p. 221.

<sup>39</sup> *Ibid.*, p. 253.

<sup>40</sup> *Ibid.*, p. 263.

<sup>41</sup> *Ibid.*, p. 270.

<sup>42</sup> *Ibid.*, p. 307.

<sup>43</sup> *Boston Gazette*, March 10, 1808.

United States, *but not over*, and a Canadian should *accidentally* make his appearance just within the boundary of that British colony with a basket of corn in his hand, and should cry *Pig—Pig—Pig*—and the whole drove should run over the line into Canada and voluntarily place themselves under the government of the tyrant of the ocean. Would it or would it not be a breach of the *Embargo law*; and if so, who should be punished, the farmer who drove his hogs so near the despotism, the swine who, regardless of the blessing of a free country, thus ran over the line; or the Canadian who tempted them to this anti-republican act!<sup>44</sup>

Another catechism coming out a few months later and ascribed to the Brattleborough *Reporter* read:

Embargo!

Why was the *Embargo* intended by Mr. Jefferson to be a circle?

Because it was to have no end.

Why is the *Embargo* like a poor portrait painter?

Because it makes a great many bad looking, long faces.

Why is the *Embargo* like the fifth wheel of a wagon?

Because it is of no manner of use.

Why is the *Embargo* like the jaw bone of an ass?

Because it has ruined thousands.

Why is the *Embargo* like couching for the cataract?

Because it makes those, who were before politically blind, see clearly.

Why is the *Embargo* like an incurable sore finger?

Because it ought to be taken off.

Why is the *Embargo* like good strong coffee?

Because Bonaparte is remarkably fond of it.

Why is the *Embargo* like red wine when we have not white?

Because it makes us stick to *Port*.

Why is the *Embargo* like the sting of ingratitude?

Because it is painful to bear.

Lastly, Why is the *Embargo* like French influence in our cabinet?

Because unless speedily removed, it will be the ruin of America.<sup>45</sup>

When Congress met again in November, the petitions had changed to direct requests for repeal of the embargo laws. On November 16, Mr. Ver Plank of New York brought in a petition from Dutchess County asking for repeal.<sup>46</sup> On the next day Mr. Livermore of Massachusetts presented several petitions to that effect from Newburyport and other towns.<sup>47</sup> On November 21, Mr. Quincy presented one from Topham, and Mr.

<sup>44</sup> *Massachusetts Spy, or Worcester Gazette*, April 13, 1808.

<sup>45</sup> *Ibid.*, September 21, 1808.

<sup>46</sup> *House Journal*, 10th Session, 353.

<sup>47</sup> *Ibid.*, p. 355.

Dana of Connecticut one from Woodbridge.<sup>48</sup> Four days later, November 25, Mr. Gardenier of New York presented petitions from some of the electors and inhabitants of Ontario County asking for the immediate repeal of the embargo.<sup>49</sup> On November 28, and again on December 2, he brought in similar petitions.<sup>50</sup> On December 20, Mr. Holland of North Carolina presented a petition from Lincoln asking for the repeal of the embargo; on January 9, 1809, he presented two other petitions to a like effect.<sup>51</sup> On January 27, Mr. Findlay of Pennsylvania brought in a petition from Westmoreland County, for the repeal of the embargo.<sup>52</sup> Four days later, January 31, Mr. Mumford brought in petitions from the first, second, and fifth wards of New York City, for the repeal of the embargo.<sup>53</sup> About two weeks later, February 13, Mr. Milnor of Pennsylvania brought in similar petitions from the city and county of Philadelphia.<sup>54</sup>

Examples of petitions, a constitutional method of obtaining relief, might be multiplied indefinitely, but those cited above are sufficient to show the general character and the quarter from which they came. It now remains to notice a few special petitions. On January 9, 1809, Mr. Lewis of Virginia presented a petition from Marsham Waring and other inhabitants of the District of Columbia. This petition urged that all executions which may have been or might be awarded against the petitioners and other inhabitants of the district might "be stayed during the continuance of the embargo and non-intercourse laws of the United States," or that such other relief as "the wisdom and justice of Congress" might deem meet be granted.<sup>55</sup>

Frequently memorials came direct to the president. One of the most interesting of these was that of St. Albans, Vermont.

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<sup>48</sup> *Ibid.*, pp. 360, 361.

<sup>49</sup> *Ibid.*, p. 365.

<sup>50</sup> *Ibid.*, pp. 367, 372.

<sup>51</sup> *Ibid.*, pp. 410, 455.

<sup>52</sup> *Ibid.*, p. 495.

<sup>53</sup> *Ibid.*, p. 501.

<sup>54</sup> *Ibid.*, p. 521.

<sup>55</sup> *Ibid.*, p. 456.



Some direct quotations from it will be given. After protesting against the embargo, the petition declared:

That in an agricultural state like this, the part of the productions which the inhabitants do not want for their own consumption is generally rendered valuable only by the commerce of the maritime states; that a people situated as are your memorialists, at so great a distance from the Atlantic seaports, must at all times experience many and great commercial disadvantages; that to surmount these, and many other difficulties incident to their local situation your memorialists \* \* \* have depended alone on their agricultural pursuits, on the manufacture of pot and pearl ashes, and the timber of their forests; that by the persevering toil and unceasing labour of hardy and independent freemen, the gloomy wilderness, which \* \* \* but a few years since was occupied only by the savage and brute had given place to agricultural enterprise, . . . from which the cultivators of soil began to enjoy the good of their labour.<sup>56</sup>

The memorial then referred to the act of March 12, 1808, which cut off the exportation of agricultural produce, pot and pearl ashes, lumber, etc. to Canada and thereby caused great suffering. It declared:

After an impartial investigation of the subject, so far as they are capable your memorialists cannot conceive how the object of the general embargo, which was the protection of our vessels, our seamen, and merchandise on the high seas, can be any way connected with the provisions of the law of March 12th, or how our vessels, our seamen, and our merchandise on the high seas can be exposed to any danger from the belligerent powers of Europe, in consequence of commercial intercourse, either by land or water, between the citizens of Vermont and Lower Canada, and places in like situations; nor can they be taught, that a law which forbids the exchange of such commodities as they do not want, for the conveniences and necessities of life, and especially for the sinews of war, the gold and silver of that nation, whose injury, it seems, is contemplated by such law, can in any possible degree tend to the welfare of the union.<sup>57</sup>

The memorial next expressed surprise at the president's proclamation of April 19, which had called upon the inhabitants to quit forming insurrections against the United States, to stop opposing and obstructing the execution of the United States laws, to return to their homes peaceably, and to aid all authorities and other persons, civil or military, in the suppression of law violations by force of arms or otherwise.<sup>58</sup> The

<sup>56</sup> *American Register*, Vol. III, pp. 450, 451.

<sup>57</sup> *Ibid.*, Vol. III, pp. 451, 452.

<sup>58</sup> *American State Papers, Class X, Miscellaneous*, Vol. I, p. 940.

petition insisted that the conditions had been misrepresented, and "that if individuals, finding themselves and their families on the verge of ruin and wretchedness, have attempted to evade the embargo restrictions, and have actually accomplished their purpose, this could never furnish a cause for proclaiming to the world that insurrection and rebellion were chargeable on the good people of this district; and with confidence your memorialists declare their belief, that nothing more than this had taken place."<sup>59</sup>

The petition then spoke of the degradation caused by a guard, of the patriotism shown by Vermont during and after the Revolutionary War, and closed as follows:

In fine, since Congress have confided to the wisdom and prudence of the executive of the United States, a discretionary power to remove the restrictions of which your memorialists complain, they present to him their ardent request that the operation of the aforementioned law of March 12th may be immediately discontinued, pursuant to the power in him reposed. And your memorialists, as in duty bound, will ever pray.<sup>60</sup>

Other petitions were directed to the president in an effort to induce him to exercise the discretionary power of repeal granted him by the act of April 22. Some of his friends believed that the main object of the petitioners was to worry Jefferson, but the economic pressure of the embargo was growing stronger. On August 19, 1808, Madison wrote to Gallatin:

I have just received a petition to the President from merchants in Boston for a removal of the embargo, or a call of Congress for the purpose; and I see another is on foot, founded on the additional market opened in Spain and expected in Portugal. Such are the malignant manoeuvres for vexing the Executive. No efforts of the President could now assemble Congress ten days sooner than the time to which they are adjourned. And to acknowledge the new and local power set up in Spain, and thereby take part in the war against the others, would be an infatuation which the most stupid or the most wicked only could suggest.<sup>61</sup>

One method of lightening the operation of the embargo was the granting of permits for the importation of foodstuffs into one state from another. This power was turned over to the governors of various states or territories as Massachusetts,

<sup>59</sup> *American Register*, Vol. III, p. 452.

<sup>60</sup> *Ibid.*, Vol. III, p. 453.

<sup>61</sup> *Writings of Albert Gallatin*, Vol. I, p. 409.

New Hampshire, South Carolina, Georgia, and Orleans, but was most widely used by Governor Sullivan of Massachusetts. Naturally, this action aroused considerable criticism, especially in New England. A Boston paper said:

"People of Massachusetts, this is your freedom! Make yourselves agreeable by some means to Governor Sullivan or you are not to share the profits of our coasting commerce. Make yourselves agreeable to those who obtain the indulgence of our political Pope, or you may go without bread. . .'"<sup>62</sup>

"Hence it appears," declared another Boston paper, "that the Chinese policy of granting licenses to Hon. Merchants is already adopted in the United States. How the inhabitants of the proscribed states will relish *a system* of monopoly, which must either starve them or compel them to pay whatever price the favored merchants may choose to place on their provisions, remains to be seen. The step, from such an assumption of executive authority to the exercise of imperial power, is but a short one.'"<sup>63</sup>

A Connecticut paper published the following item:

The full Tide of Experiment.—Mr. Jefferson seems determined to ascertain the quantity of imposition which the people will bear. The prohibition of the coasting trade is an assumption of tyrannical power almost equal to the Decrees of Bonaparte.—The eastern states cannot subsist without supplies of Indian corn and flour from the middle and southern states. Mr. Jefferson has made Governor Sullivan the judge of the quantity of bread the good people of Massachusetts may eat, and of the prices at which they shall buy that quantity; nay more, he is to point out the *member of the Legion of Honor* who is to have exclusive profits on the importation of bread. Was ever such bare faced tyranny attempted in America before? Will independent Yankees submit to such an imposition?<sup>64</sup>

Over six months later a Boston paper intimated that some individuals profited by the embargo. An interesting item read:

It is calculated and by republicans too, at the seat of government that Gen. Smith of *Baltimore* has made Four Hundred Thousand Dollars by the Embargo. We think there must be exaggeration in the case, altho' the recent rise upon his enormous capital of goods must amount to an immense sum.<sup>65</sup>

Gallatin, Secretary of the Treasury, did not believe in grant-

<sup>62</sup> Boston *Reperctory*, May 17, 1808.

<sup>63</sup> Boston *Gazette*, May 19, 1808.

<sup>64</sup> *Connecticut Courant*, June 1, 1808.

<sup>65</sup> *New England Palladium*, January 10, 1809.

ing discretionary powers to governors. On May 23, 1808, he wrote to Jefferson that the best method would have been to call on the governors for information. "Knowing Governors Sullivan and Charles Pinckney as we do," he said, "we can have no confidence in the last and must rest assured that the other will refuse no certificates."<sup>66</sup> Five days later he wrote that there was more danger from the permits than from any other quarter, for Governor Sullivan did not dare refuse a single permit. One mail alone, Gallatin said, brought permits for eleven thousand barrels of flour exclusive of corn and rye meal.<sup>67</sup>

On July 15, 1808, Gallatin wrote to Jefferson summarizing Sullivan's permits as received at the treasury up to that day. They amounted to 49,800 barrels of flour, 99,400 bushels of corn, 560 tierces of rice, and two thousand bushels of rye. In addition to those specified amounts he had granted permits for either 7,450 barrels of flour, or thirty thousand bushels of corn. The flour then would amount to 57,250 barrels, or the corn to 129,400 bushels. In addition to granting permits to bring in exorbitant amounts of provisions, Gallatin charged Sullivan with a lack of care in selecting the persons; for, said he, according to report, some of the permits were issued to persons resident in Alexandria and Georgetown. "of whom he could know nothing"<sup>68</sup>

Jefferson at once wrote to Sullivan about the certificates, but apparently with little effect. The latter declared, in his reply of July 21, that three weeks after the certificates were refused, scarcity would involve the state in mobs, riots, and convulsions which would give his enemies triumph and his friends mortification.<sup>69</sup> Two days later Sullivan wrote that the seaport towns were dependent almost entirely for bread on the Southern and Middle States, that the people of the interior lived on a mixture of Indian corn and rye for a common food but that their fine bread and pastry came from the South.

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<sup>66</sup> *Writings of Albert Gallatin*, Vol. I, p. 391.

<sup>67</sup> *Ibid.*, p. 393.

<sup>68</sup> *Ibid.*, p. 394.

<sup>69</sup> Jefferson, *MSS.* Quoted in Adams, Henry, *History of the United States*. Vol. IV, p. 255.

and that the country towns consumed more imported flour than the equivalent of all the grain they carried to the sea-board. He insisted that the imported rice was small, admitted that the Indian corn brought in was greater, but urged that it could not find a market in the British or French West Indies even if there were no embargo. The corn, he declared, was in demand not as food for men, but for horses which consumed an astonishing amount.<sup>70</sup>

In response to these letters and to correct the abuses which he believed existed, Jefferson wrote to Sullivan on August 12, 1808:

In mine of July 16th I had stated that, during the two months preceding that, your certificates received at the Treasury, amounted, if I rightly recollect, to about 60,000 barrels of flour, and a proportionate quantity of corn. If this whole quantity had been *bona fide* landed and retained in Massachusetts I deemed it certain there could not be a real want for a considerable time, and, therefore, desired the issues of certificates might be discontinued. If, on the other hand, a part has been carried to foreign markets it proves the necessity of restricting reasonably this avenue of abuse. This is my sole object, and not that a real want of a single individual should be one day unsupplied. In this I am certain we shall have the concurrence of all the good citizens of Massachusetts, who are too patriotic and too just to desire by calling for what is superfluous, to open a door for the frauds of unprincipled individuals who, trampling on the laws, and forcing a commerce shut to all others, are enriching themselves on the sacrifices of their honest fellow citizens;—sacrifices to which these are generally and willingly submitted as equally necessary whether to avoid or prepare for war.<sup>71</sup>

On September 16, Gallatin wrote Jefferson from New York that a large part of the difficulty in Massachusetts was due to Sullivan's permits, for they gave the power to smuggle out other things, when, without them, fish would be the only product which could be smuggled out. He declared that the issuance of certificates ought to be stopped or that some way to prevent the collectors from respecting them should be devised.<sup>72</sup> About two months later, November 13, 1808, Jefferson wrote Lieutenant Governor Levi Lincoln of Massachusetts as follows:

<sup>70</sup> Jefferson MSS. Quoted in Adams, H., *History of the United States*, Vol. IV, pp. 254, 255.

<sup>71</sup> *Writings of Thomas Jefferson*, Vol. IX, p. 205.

<sup>72</sup> *Writings of Albert Gallatin*, Vol. I, p. 418.



I enclose you a petition from Nantucket and refer it for your decision. Our opinion here is that that place has been so deeply concerned in smuggling, that if it wants, it is because it has illegally sent away what it ought to have retained for its own consumption. Be so good as to bear in mind that I have asked the favor of you to see that your state encounters no real want while at the same time, where applications are made merely to cover fraud, no facilities towards that be furnished. I presume there can be no want in Massachusetts as yet, as I am informed that Governor Sullivan's permits are openly bought and sold here [Washington] and in Alexandria and at other markets . . . <sup>73</sup>

Jefferson's enemies naturally charged him with an attempt to regulate their diet. On July 12, 1808, he wrote to Gallatin that the declaration of the New York bakers that their customers would not be satisfied with bread made from New York flour was a libel on the produce and citizens of that state. If that disposition prevailed, he said, the next application would be for vessels to go to New York state for apples because the apples of that state were more highly flavored than the apples of other states.<sup>74</sup> This same rule, apparently, was applied to Louisiana, for on September 9, 1808, he wrote Gallatin: "You know I have been averse to letting Atlantic flour go to New Orleans merely that they may have the *whitest* bread possible."<sup>75</sup>

Of course, the excessive power assumed by the president and exercised by his officials, often with poor judgment, gave rise to bitter opposition and attempts at evasion. Before taking up the question of smuggling, however, an undated but characteristic letter of Joseph Hopkinson of Philadelphia to Timothy Pickering will be quoted:

Bless the embargo! thrice blessed the President's proclamation, by which his minions are to judge of the appetites of his subjects how much food they may reasonably consume, and who shall supply them! If these things awaken not, we are, indeed, in the sleep of death, and can look for re-annihilation only at the sound of the last trump.

Have you wise men settled the question, whether, under the proclamation and embargo system, a child may be lawfully born without clearing out at the Custom House?<sup>76</sup>

<sup>73</sup> *Writings of Thomas Jefferson*, Vol. IX, p. 227.

<sup>74</sup> *Works*, Vol. V, p. 307. Quoted in Adams, H., *op. cit.*, Vol. IV, p. 260.

<sup>75</sup> *Works*, Vol. V, p. 363. Quoted in Adams, H., *op. cit.*, Vol. IV, p. 260.

<sup>76</sup> Upham, C. W. *The Life of Timothy Pickering*, p. 131.



With the passage of new embargo laws attempts at evasion became more marked. The *Annals of Congress* abound with references to smuggling, many of which have been, and more of which will be, referred to in the arguments on the embargo. The very inconveniences, not to say hardships, imposed by the embargo led to law violations. J. B. McMaster points out some of these troubles. He takes the case of a miller who lived ten miles up East River. This man bought wheat in the city, carried it to his mill on his own boat, and took the flour back to New York in the same way. According to the laws in force in the summer of 1808, he had to go to New York, obtain a clearance, and give bond to bring flour to that city. He then had to get a certificate from the inspector, and go to the custom house to prevent a forfeiture of two hundred dollars for each ton of his boat. Under the same bond he might obtain leave to buy a certain quantity of wheat and carry it to his mill. His next step was to go to a magistrate six miles away and pay a good fee for a certificate stating that the wheat had really been landed at the mill. If he failed to bring the certificate to the collector in New York within thirty days he forfeited his bond.

Farmers of Greenwich, thirty miles up Long Island Sound, sent lamb, veal, poultry, and potatoes to New York. Eight small vessels were kept busy with this trade. The owners, according to the new embargo laws, had to clear at the custom house and give bonds to land their potatoes in New York. Greenwich, however, was in the jurisdiction of Fairfield, twenty miles away; hence the merchants had to make this journey before each trip to New York in order to get their clearances and bonds and after each trip to present their certificates of landing at New York and have their bonds cancelled. The owners, as a result, spent nearly half their time on the road between Greenwich and Fairfield.<sup>77</sup> The Enforcing Act of January 9, 1809, compelled owners of vessels to go two hundred to three hundred miles to sign bonds because of new regulation of which they were ignorant.<sup>78</sup>

Opposition grew stronger after the passage of the first and

<sup>77</sup> McMaster, J. B. *A History of the People of the United States*, Vol. III, p. 300.

<sup>78</sup> *Boston Repertory*, January 27, 1809.

third supplemental acts and the president's proclamation of April 19. Big rafts of lumber collected on the northern boundary at Lake Champlain. One of these was said to be half a mile long, to carry a bullet-proof fort, and to be manned by five or six hundred armed men ready to defy the custom-house officers. According to report, it carried Vermont's surplus produce for a year,—wheat, potash, pork, and beef—worth over three hundred thousand dollars. The governors of Vermont and New York ordered out detachments of militia to stop the traffic, but it continued.<sup>79</sup>

Store houses, to which produce was carried for miles about, were established along the northern and southern boundary. Eastport in Maine and St. Marys in Georgia were great collection points of flour and other provisions; from the former goods were sent to Canada, and from the latter to the West Indies and other markets.<sup>80</sup>

One of the most peaceful methods used in Vermont was to load a dozen sleds or wagons and drive towards Canada. The drivers would select a hill with steep slopes close to the boundary line and build a rude hut on the summit in such a way that the pulling of a stone from the foundation would cause the floor and walls to fall and the contents of the building to be thrown on English ground. After these arrangements were made, the potash, flour, pork, and lumber would be unloaded, placed in the building, and the stone removed. The barrels would thus be sent rolling into Canada where they became English property and were quickly carried away.<sup>81</sup>

Fifteen thousand barrels of flour were smuggled out of Genessee County, New York. One of the favorite smuggling points on the Lakes was at Black Rock just above the falls of Niagara on the American side of the Iroquois. To the hotel

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<sup>79</sup> *National Intelligencer*, May 23, 1808.

<sup>80</sup> Hildreth, Richard, *History of the United States of America*, Vol. VI, p. 69. The newspapers of the period are crowded with references to smuggling, but only a few instances will be cited. Thus, in the North, foodstuffs, potash, etc., were taken across the line to Canada (*Boston Reperitory*, June 21, 1808; *Paulson's American Daily Advertiser*, January 14, 1809; *Connecticut Courant*, February 3, 1809). Likewise in the South foodstuffs, cotton, etc., were sent from the country notwithstanding the embargo (*Relf's Philadelphia Gazette and Daily Advertiser*, April 16, 1808; *Freeman's Journal*, January 2, 1809; *Richmond Enquirer*, January 7. and 31, 1809).

<sup>81</sup> McMaster, J. B., *History of the People of the United States*, Vol. III, p. 294.

erected there British merchants and American farmers living south and east of Black Rock came; the former brought cash while the latter brought wagon loads of flour. The English merchant would then offer the farmer about eight dollars a barrel for his flour on condition that the flour be unloaded on the river bank. The farmer would do this in the evening. On the following morning the flour would be gone, for during the night it would be conveyed to the Canadian shore on small boats, carried by wagon around the falls, and then loaded on British boats and carried to Great Britain and her colonies.<sup>82</sup>

Potash was also smuggled into Canada by the thousands of barrels. A Canadian letter dated January 30, 1809, declared that thirty thousand barrels had been received in Quebec from the United States during 1808.<sup>83</sup>

Attempts at evasion, however were not always successful. A South Carolina shipper offered bonds and applied for clearance to carry five hundred hogsheads of rum from Charleston to New Orleans. The inspector, surprised at this large amount of rum, made an investigation and discovered that the hogsheads were full of rice, which was to be taken to Havana, sold, and a cargo of rum bought and carried to New Orleans. The collector there would certify that the rum had been landed and the certificate taken back to Charleston would release the bond.<sup>84</sup>

All attempts, as previously indicated, were not, peaceable. Violence was not uncommon along the whole northern border. Five open boats loaded with potash tried to make the run from Fort Niagara to Canada, and in spite of the troops and collector, three were successful. In Oneida County, on Salmon River, the men on a revenue cutter acted so insolently that the people of the county seized them and put them in jail. At Lewiston, twenty men who were believed to have gone to Canada for that purpose, crossed over and forcibly carried off a quantity of flour.<sup>85</sup> At New Haven, Connecticut, a revenue vessel which had captured a sloop guilty of violating the em-

<sup>82</sup> Baltimore *Evening Post*, January 24, 1809.

<sup>83</sup> *Freeman's Journal and Philadelphia Mercantile Advertiser*, February 4, 1809.

<sup>84</sup> McMaster, J. B., *op. cit.*, Vol. III, p. 298.

<sup>85</sup> *Ibid.*, p. 306.

bargo laws was attacked. The men were driven off the cutter, the prize was released, and the revenue vessel was carried out into the stream and burned.<sup>86</sup>

Newspapers, whether friendly to the embargo or opposed to it, frequently commented on the lawlessness of the people. In fact, sections of New England were practically at war with the government authorities. In an action on Lake Champlain between two sloops and a raft fourteen or fifteen men were wounded and the raft escaped.<sup>87</sup> Another paper, quoting a Bennington letter of May 8, but in all probability describing the same affair, said that thirty-nine were severely wounded and one killed.<sup>88</sup> The opposition in the early summer became almost a rebellion. A Rutland item of June 4, read: "A detachment of one hundred and fifty of the militia, made from the 2nd brigade, marched from this vicinity on Tuesday last, to put a stop to the disgraceful potash and lumber rebellion on Lake Champlain."<sup>89</sup>

At Middlebury, Vermont, a large and valuable raft seized by the government and guarded by twelve men was attacked by one hundred and fifty men from Canada and carried in. Shots were exchanged and blood marks were found the next morning.<sup>90</sup> At St. Albans, according to a statement sworn to by Lieutenant John Whittemore at Staunton on July 2, thirty men fought twelve soldiers in order to regain twelve barrels of potash, and succeeded.<sup>91</sup>

A Quebec paper, in commenting upon the frequent report that Canadians aided in recapturing rafts, said:

The raft which was fired upon at Windmill Point by the American guard, has arrived here. That part of the account given in the St. Alban's Adviser and copied into the last Gazette, which states that the men who carried off the raft were collected in Canada, is false. The people on board the raft amounted to 54; none of them were wounded by the fire from the shore, though a great number of balls were lodged in the raft. They

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<sup>86</sup> *American Register*, Vol. V, p. 241.

<sup>87</sup> *National Intelligencer*, May 23, 1808.

<sup>88</sup> *Norwich Courier*, June 1, 1808.

<sup>89</sup> *National Intelligencer*, June 17, 1808.

<sup>90</sup> *Connecticut Courant*, June 29, 1808.

<sup>91</sup> *Massachusetts Spy, or Worcester Gazette*, July 27, 1808.

saved themselves by lying down behind logs placed for the purpose the moment they saw the flash from the muskets of the people on shore.<sup>92</sup>

Soldiers near Rutland, Vermont, on August 3, took possession of a batteau supposed to be used in smuggling potash. After threats, they were fired on and one soldier was killed. The batteau, at Lieutenant Farrington's order, then made for the shore to dislodge the smugglers. When the men landed, they were fired on again, another soldier was killed and the lieutenant wounded. Eight suspects were arrested, but four escaped. A reward of one hundred dollars was offered for S. I. Mott, the commander of the batteau, and of fifty dollars each for the other three suspects.<sup>93</sup>

At least one rioter was executed for opposing the embargo laws and firing on the soldiers. A widely copied item from a Vermont paper read:

Dean, the person who was convicted of firing on the soldiers who were executing the Embargo laws in Vermont, has suffered the sentence of the law. He appeared perfectly composed and hardened, denied his crime; kicked his hat into his grave, spit upon his coffin; and pulled the cap over his eyes himself. No person prayed with him at the gallows.<sup>94</sup>

Boats were sometimes loaded openly in defiance of embargo laws. Thus at Bath, Maine, the brig *Mary Jane* put to sea in defiance of a revenue cutter. The latter opened fire, but the *Mary Jane* returned the shots and continued on her way.<sup>95</sup>

The *Wasp*, sloop of war, captured the schooner, *Liberty*, a vessel engaged in smuggling. One night, however, about forty "Indians" led by *Blue* or *Red Jacket* boarded the *Liberty*, put the *Wasp's* officer and crew on shore and took the *Liberty* to put to sea. These "Indians" called themselves descendants of the "aborigines" who destroyed the tea in 1773.<sup>96</sup>

Naturally the attitude of the people was not without effect on the collectors. Moreover, their sympathies influenced their official action. Thus we note the following entry:

<sup>92</sup> *Reif's Philadelphia Gazette, and Daily Advertiser*, August 8, 1808.

<sup>93</sup> *Boston Columbian Centinel*, August 10, 1808; *United States Gazette*, August 17, 1808.

<sup>94</sup> *Virginia Argus*, December 13, 1808.

<sup>95</sup> *Baltimore Evening Post*, January 14, 1809.

<sup>96</sup> *New York Herald*, January 18, 1809.



Some of the Collectors at the southward have grown more liberal in the construction of the Embargo laws; others are more strict. At Baltimore, we are told, coasters in ballast have been allowed to sail without giving bonds; while in North Carolina, a coasting vessel with staves, it is said, has been refused any clearance at all. . . <sup>97</sup>

In the North, cases of collusion were frequent. Officers winked at smuggling or made only half hearted attempts to prevent it.<sup>98</sup> Occasionally officers were removed for not using due diligence in the enforcement of laws. Among this number was Edward Pope, collector and inspector of the port of New Bedford, Massachusetts.<sup>99</sup>

Later on, because of the pressure of public opinion or their own convictions, collectors handed in their resignations. The January papers, 1809, call attention to these resignations which grew out of the embargo act of that month. Thus we read: "On Sunday last, the new Embargo Act arrived in town. On Monday, our Collector, the venerable General Lincoln, who is now descending to the grave with wounds, received in the *struggle for Freedom*; and Benjamin Wild, Esq. Deputy Collector, both Resigned Their Offices."<sup>100</sup> About the same time, January 20, Colonel Olney and his brother, officers at Providence, Rhode Island, resigned rather than try to enforce the embargo.<sup>101</sup> A week or so later Michael Hodge, surveyor at Newburyport, Massachusetts, resigned for a similar reason.<sup>102</sup>

The readiness of the Americans to violate the embargo laws is also apparent from the writings of spies and of foes and friends of the measure. John Howe, on May 5, 1808, wrote to Lieutenant General Sir George Prevost of Canada on the American situation. He referred to the numerous shipments of flour to Passamaquaddy and elsewhere, and advised a slight shifting of destination. He urged that on the whole, he was satisfied that every production of the United States could be easily obtained if the British really desired it and would afford some facility and security to the enterprising men who

<sup>97</sup> *New England Palladium*, June 7, 1808.

<sup>98</sup> *Boston Gazette*, May 19, 1808.

<sup>99</sup> *Boston Independent Chronicle*, August 18, 1808.

<sup>100</sup> *Boston Reperetory*, January 20, 1809.

<sup>101</sup> *Paulson's American Daily Advertiser*, January 26, 1809.

<sup>102</sup> *Boston Reperetory*, January 31, 1809.



would bring it in.<sup>103</sup> A little over a month later, June 7, he referred in another letter to Prevost to the ineffectual attempts to enforce the embargo.

"But all he [Jefferson] can do," said the British agent, "will not keep the Republican Lady honest. Upwards of 50,000 barrels of flour have been sent away from this city (New York) since the Embargo took place. And I am convinced that either here, or in any part of the Union, it would be easy to contract with individuals to furnish anything the country produces, and to send it where it might be necessary. Since the King's last Order in Council, which had only been published a few days ago, [the order of April 11, 1808, here referred to, instructed British naval officers and other officials not to interfere with any neutral vessel which was taking lumber or provisions to the British West Indies],<sup>104</sup> a sloop laden with flour came down the North River in the night, passed boldly by their Gun Boats, and got to sea, intending to go to our Islands in the West Indies."<sup>105</sup>

In a letter of June 20, written at Philadelphia, Howe declared: "Among all the Republican virtues I find in exercise in this country, the love of money is by far the most predominant."<sup>106</sup> On August 5, he wrote to Prevost from New York about a southern trip. After describing the loyalty of the Southerners to Jefferson in spite of their suffering, he stated that notwithstanding their patriotism they were watching for every opportunity to violate the embargo. While at Norfolk, Virginia, he had a conversation with a captain who had lately returned from Kingston, Jamaica. The captain had cleared out from Georgetown to New Orleans with one thousand barrels of flour. On the way he had met with such bad weather that he lost both masts and injured his rudder. Very *providentially*, however, he met a British war vessel, which took him to Kingston. There he very *providentially* sold his flour at twenty to twenty-five dollars a barrel, got his vessel condemned and sold her. He was then on his way to Georgetown with a long protest in order to clear himself of bonds.

103 "Secret Reports of John Howe," *American Historical Review*, Vol. XVII, pp. 80, 81. Howe's reports, it may be noted, are not entirely reliable.

104 *Supra*, pp. 31, 86.

105 "Secret Reports of John Howe," *American Historical Review*, Vol. XVII, p. 91.

106 *Ibid.*, p. 94.

If the *providential* disasters were accepted, he expected to sail to Jamaica again within six weeks.<sup>107</sup>

On November 16, 1808, in a letter from Boston to Prevost, Howe referred to the indignation over the embargo laws and the use of one hundred thousand militia. He again spoke of the open violations of the law. At Portland, he declared, a ship and two brigs had gone to sea with cargoes in open defiance of the *Wasp*, an American ship sent there to prevent them. From Cape Ann several others sailed, he said. On November 12, a brig and another vessel loaded with fish left Cape Cod. The brig, he declared, was seen and fired at by a gunboat, but she continued on her way in defiance.<sup>108</sup>

The writings of Jefferson and Gallatin abound with references to law violations, and, incidentally, show reasons for opposition to the laws. Thus, on May 16, 1808, Jefferson wrote to Gallatin:

The numerous and bold evasions of the several embargo laws threatened altogether to defeat the great and interesting objects for which they were adopted, and principally under cover of the coasting trade. Congress, therefore, finding insufficient all attempts to bind unprincipled adventurers by general rules, at length gave a discretionary power to detain absolutely all vessels suspected of intentions to evade the embargo laws, wheresoever found. In order to give to this law the effect it intended, we find it necessary to consider every vessel as suspicious which has on board any articles of domestic produce in demand at foreign markets, and most especially provisions. . . .<sup>109</sup>

In his reply a week later, Gallatin tried to point out that the embargo worked and that the evasions were fewer than he had expected. The danger, according to him, was secret bonding and departure without clearance. Previous violations, he held, had largely occurred in frontier districts or in the sailing of vessels before penalties could be enforced.<sup>110</sup>

On May 20, Jefferson wrote to General Benjamin Smith on the subject of the embargo. He declared that the question of how long the continuance of the embargo would be preferable to war would have to be met if the decrees, orders, and

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<sup>107</sup> *Ibid.*, p. 99.

<sup>108</sup> *Ibid.*, p. 339.

<sup>109</sup> Gallatin, *Writings*, Vol. I, p. 389.

<sup>110</sup> *Ibid.*, p. 391.

European wars continued. With regard to law enforcement, he said:

I am sorry that in some places, chiefly on our northern frontiers, a disposition even to oppose the law by force has been manifested. In no country on earth is this so impracticable as in one where every man feels a vital interest in maintaining the authority of the laws, and instantly engages in it as in his own personal cause. Accordingly, we have experienced this spontaneous aid of our good citizens in the neighborhoods where there has been occasion, as I am persuaded we ever shall on such occasions. Through the body of our country generally our citizens appear heartily to approve and support the embargo. . .<sup>111</sup>

On June 23, in a letter to Dr. Thomas Leib, Jefferson referred to the opposition of the Federalists and stated that the time was not far distant when the embargo would have to be abandoned.<sup>112</sup> Nearly a month later, July 17, he wrote to Meriwether Lewis that foreign affairs did not clear up at all and that the moment would come when the legislature would have to decide whether or not war was preferable to embargo.<sup>113</sup>

On July 29 Gallatin wrote a pessimistic letter to Jefferson. He pointed out the various violations, particularly in the North, the opposition of the Federalists, and the inadequacy of existing laws. He urged that in order to make the embargo effective no vessel should be allowed to move without the president's special permission and that the collectors should be invested with the power of seizing property anywhere and of taking the rudders or otherwise effectually preventing the departure of any vessel without being liable to personal suits. These powers he considered absolutely necessary, though he admitted that they were "equally dangerous and odious." He insisted that there was need for a little army along the Lakes and British lines, for "selfishness has assumed the reins in several quarters, and the people are now there altogether against the law." He expressed a fear that they would have to give up the embargo, unless the president was clothed "with the most arbitrary powers and sufficient force" to carry it

<sup>111</sup> Jefferson, *Writings*, Vol. IX, p. 195.

<sup>112</sup> *Ibid.*, pp. 196, 197.

<sup>113</sup> *Ibid.*, p. 200.

into effect. In that case he considered war inevitable but with which power—England or France—he asked.<sup>114</sup>

On August 11, Jefferson wrote to Gallatin:

This embargo law is certainly the most embarrassing one we have ever had to execute. I did not expect a crop of so sudden and rank growth of fraud and open opposition by force could have grown up in the United States. I am satisfied with you that if orders and decrees are not repealed, and a continuance of the embargo is preferred to war, (which sentiment is universal here,) Congress must legalize all *means* which may be necessary to obtain its *end*.<sup>115</sup>

Again on December 28, Gallatin wrote to Jefferson concerning attempts at violation of the law. He said:

All the cotton in New York has been purchased by speculators in Boston and they want to transport it. A single person wanted to ship six thousand bales, equal to 1,800,000 pounds. I have written to Mr. Gelston not to permit the shipment of one bale, as there must be a plan, though the details are not known, for its being illegally exported from Boston. As to Georgia, I do not perceive that anything more can be done than to send gunboats in addition to our small revenue boats.<sup>116</sup>

On January 17, 1809, Jefferson sent a circular letter through the Secretary of War to the various governors, empowering them to use militia in enforcing the law. Although the pressure of the embargo has been sensibly felt, he said, most people had borne it cheerfully under the conviction that it is a temporary and necessary evil. It would have been borne more cheerfully, he declared, had it not been violated by the unprincipled along the seacoast and frontiers. In cases, he observed, armed forces "too powerful to be opposed by the collector and his assistants" had set at defiance the laws.

A typical letter modeled after Jefferson's circular letter, was sent to the Governor of Virginia on the next day by Henry Dearborn, Secretary of War. After reciting the above facts, he wrote: "To put an end to this scandalous insubordination to the laws," the act of January 9, authorized the president "to empower persons to employ militia for preventing or suppressing armed or riotous assemblages of persons resisting the custom-house officers in the exercise of their duties, or oppos-

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<sup>114</sup> Gallatin, *Writings*, Vol. I, pp. 396-399.

<sup>115</sup> Jefferson, *Writings*, Vol. IX, p. 202.

<sup>116</sup> Gallatin, *Writings*, Vol. I, p. 448.

ing or violating the embargo laws." Such restrictions, the president hoped, Dearborn said, would last only a short time. He then asked for the appointment of a militia officer with proper forces near each custom-house in order to see that the laws were enforced.<sup>117</sup>

Six days later, Gallatin in an official report turned in a list of fifty-four places where violations of the embargo had taken place prior to November 14, 1808. They were, beginning roughly at the north and extending to the south: Portsmouth, Frenchman's Bay, Penobscot, Waldobow, Wiscasset, Bath, Portland, Newburyport, Ipswich, Gloucester, Salem, Marblehead, Boston, Portsmouth (Mass.), Barnstable, Newbedford, Dighton, Nantucket, Edgartown, Bristol, Providence, Newport, New London, Middletown, New Haven, Fairfield, Sacket's Harbor, Buffalo Creek, Sag Harbour, New York, Vienna, Snow Hill, Georgetown, Alexandria, Dumfries, Yecomies, Richmond, Petersburg, Norfolk, Folly Landing, Cherrystone, Camden, Plymouth (N. C.), Oeracock, Wilmington (N. C.), Georgetown (S. C.), Charleston, and St. Marys. Most of the violations seemed to occur in the north and central parts, and naturally so, for most of the ports were there. This report Gallatin expressly stated was not complete.

"But numerous evasions and violations," he said, "have taken place; of which the official returns of the collectors herewith transmitted, give but a partial account, although this communication was delayed in order to obtain the information required by the latter part of the resolution of the house. For it cannot be concealed that illegal shipments and exportations of potash, flour and cotton and other articles, have been made to a much larger amount than might be inferred from a view of those returns."<sup>118</sup>

Any law to be effective must have the backing of the people; otherwise violations will be encouraged, judges may refuse to convict, and juries will release. In the summer of 1808 some Charleston merchants with the consent of the collector and district attorney applied for a mandamus to compel the collector to clear certain ships for Baltimore. The collector admitted his belief that the voyage was intended in good

<sup>117</sup> Jefferson, *Writings*, Vol. IX, p. 237; and *Calendar of Va. State Papers & Other Mss.*, Vol. X, pp. 42, 43.

<sup>118</sup> *American Register*, Vol. V, p. 85.



faith and that under the embargo law he had no right of detention; he then placed Gallatin's instructions before the court. The case was turned over without argument to Justice William Johnson of the South Carolina circuit. Although Johnson was the appointee and a warm personal friend of Jefferson, he decided that the act of Congress did not warrant detention and that consequently, without the sanction of law the collector was not justified by instructions from the executive in increasing commercial restraints. The mandamus was issued.

This decision worried Jefferson. On July 18, he wrote Governor Pinckney of South Carolina: "I saw them with great concern because of the quarter from whence they came, and where they could not be abscribed to any political waywardness."<sup>119</sup> Rodney, Jefferson's Attorney General, tried to overrule Johnson's decision, and under the president's instructions wrote "an official opinion that the court had no power to issue a mandamus in such a case." By publishing this opinion in the newspapers, towards the end of July he forced Johnson into a newspaper controversy in which the judge defended his opinion temperately and with satisfaction to himself, but he never regained Jefferson's good opinion. In his own circuit the Georgia grand jury in December "made him the object of a presentment for improper interference with the Executive."<sup>120</sup>

Jefferson derived encouragement, however, from an unexpected quarter. In September an embargo case was argued before John Davis, judge of the district court for Massachusetts. Samuel Dexter, the ablest lawyer in New England, urged the constitutional objections to the embargo with great force. Newspapers were decrying the law. Chief Justice Parsons of the Massachusetts Supreme Court, the best legal au-

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<sup>119</sup> *Works*, Vol. V, p. 322, Quoted in Adams, Henry, *History of the United States*, Vol. IV, p. 264.

<sup>120</sup> *Ibid.*, pp. 263, 264. The papers of the period are, of course, full of remarks on the constitutionality of the embargo, and decisions in embargo cases. The answer of Judge Johnson to the publication of the Attorney General's letter to the President on the subject of the mandamus was dated August 26. It was published in northern papers, as the *Massachusetts Spy*, or *Worcester Gazette* of November 16, 23, and 30, 1808.



thority in the state, cast his private influence against the law. Nevertheless, Judge Davis, one of the soundest of Federalists declared that the law was constitutional. He said:

Stress has been laid in argument on the word "regulate" as implying in itself a limitation. Power to "regulate" it is said, cannot be understood to give a power to annihilate. To this it may be replied that the acts under consideration, though of very ample extent, do not operate as a prohibition of all foreign commerce. It will be admitted that partial prohibitions are authorized by the expression; and how shall the degree or extent of the prohibition be adjusted but by the discretion of the national government, to whom the subject appears to be committed.<sup>121</sup>

After invoking the "necessary and proper" clause, Davis passed on to the doctrine of "inherent sovereignty." He said:

Further, the power to regulate commerce is not to be confined to the adoption of measures exclusively beneficial to commerce itself, or tending to its advancement; but in our national system, as in all modern sovereignties, it is also to be considered as an instrument, for other purposes of general policy and interest. The mode of its management is a consideration of great delicacy and importance; but the national right or power to adapt regulations of commerce to other purposes than the mere advancement of commerce appears to me unquestionable.<sup>122</sup>

Congress has power [he said] in discussing necessity of state, to declare war. It of course has power to prepare for war; and the time, the manner and the measure in the application of constitutional means, seem to be left to its wisdom and discretion. Foreign intercourse becomes in such times a subject of peculiar interest, and its regulation forms an obvious and essential branch of federal administration. . . . It seems to have been admitted in the argument that State necessity might justify a limited embargo, or suspension of all foreign commerce; but if Congress have the power, for purpose of safety, of preparation, or counteraction, to suspend commercial intercourse with foreign nations, where do we find them limited as to the duration more than as to the manner and extent of the measure?<sup>123</sup>

Dexter did not appeal from the decision, for he knew that John Marshall would support it. The judgment, nevertheless, rankled. Even Joseph Story, later on a convert to Marshall's views, wrote: "I have ever considered the embargo a measure which went to the utmost limits of constructive power

<sup>121</sup> Adams, Henry, *History of the United States*, Vol. IV, p. 268.

<sup>122</sup> *Ibid.*, p. 269.

<sup>123</sup> *Ibid.*, pp. 269, 270.

under the Constitution, being in its very form and terms an unlimited prohibition or suspension of foreign commerce.''<sup>124</sup>

On September 14, Gallatin wrote Jefferson concerning the difficulty of instituting prosecutions in northern New York.<sup>125</sup> On December 21, 1808, John Quincy Adams wrote Ezekiel Bacon in favor of substituting something else for the embargo as quickly as possible on the score that the law would not be executed. State authority, he urged, would oppose the law notwithstanding the decision of Judge Davis, juries would not convict, constitutional objections would recur with ten-fold greater power, and soon state judges would decide in their own way.<sup>126</sup> On January 16, 1809, he wrote to William Branch Giles as follows:

You will have been informed that two instances of forcible violations of the embargo laws have occurred at the two extremities of our sea coast within this Commonwealth. The district court after sitting seven or eight weeks, and trying upwards of forty cases, has at length adjourned. Not one instance has occurred of a conviction by jury, and finally one of the jurymen is said to have declared that he never would agree to convict any person under these laws *whatever might* be the facts. The judge has been firm and decided in support of the laws, as far as his authority extended.<sup>127</sup>

Gallatin, on November 24, in advising the committee of which W. B. Giles was chairman, had referred to the vexatious suits which were brought against collectors for the purpose of bothering them and of intimidating others from the discharge of their duties. He referred also to the attempts made to take from collectors "by writs of replevin issued by state courts or officers," property seized in conformity with the embargo laws. He declared, moreover, that vessels and cargoes had been "restored to the owners on their giving security for the appraised value" at an amount "so low as to reduce the forfeiture to an inconsiderable sum, thereby defeating altogether the law."<sup>128</sup>

The act of January 9, 1809 was intended to make it difficult for collectors and others charged with enforcing the

<sup>124</sup> Story W. W., *Life and Letters of Joseph Story*, Vol. I, p. 185.

<sup>125</sup> Gallatin, *Writings*, Vol. I, p. 417.

<sup>126</sup> Adams, J. Q., *Writings*, Vol. III, pp. 277, 279.

<sup>127</sup> *Ibid.*, pp. 287, 288.

<sup>128</sup> *American Register*, Vol. IV, pp. 266, 267.

embargo laws to be prosecuted and persecuted in the discharge of their duties. That it did not fully succeed numerous instances could prove, but the following one must suffice. A man by the name of Charles Bean was appointed captain of militia by Levi Lincoln, Lieutenant Governor of Massachusetts, on February 1, 1809. Four weeks later, February 26, he received a letter from Alexander McIntire, collector at York, asking him to go on board a ship named *Beckey*, which was suspected of an intention to violate the embargo laws, and detain her temporarily. Accompanied by six private soldiers and deputy inspector David Barker, he obeyed the instructions. No violence was committed, but a half hour after the company entered the vessel, William Boyd, the reputed owner, came on board and ordered them off with harsh language. At the same time he threatened to raise a mob to take the vessel by force if the men did not leave. The authorities, however, remained on board till the tide had ebbed so much that it was impossible for the boat to leave.

Two days later these authorities were arrested on a warrant issued by Daniel Sewall for a riot in entering the *Beckey*, and the next day they were carried before Jacob Fisher of Kennebunk, twenty miles from York, though there were at least eight magistrates of competent jurisdiction in York. Justice Fisher declared the embargo laws unconstitutional, the order of Lincoln illegal, and required each man to give surety of fifty dollars that he would put in an appearance at the superior court at York. After attending this court for thirteen days, they were discharged by the grand jury. For the time and trouble occasioned by this interference Bean put in a claim of \$219.44, which the committee considered reasonable.<sup>129</sup>

Opposition to the embargo, of course, showed one of its manifestations in an attempt to drive the Republicans out of office. Newspapers, open air political meetings, etc. were used in such an effort. One of Bryant's poems written when he was only fourteen years old, shows the feeling prevalent in his native village:

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<sup>129</sup> *American State Papers, Class IX, Claims*, Vol. XIX, pp. 382, 383.

Curse of our nation, source of countless woes,  
 From whose dark womb unreckoned misery flows:  
 Th' embargo rages, like a sweeping wing,  
 Fear lowers before, and famine stalks behind

. . . . .  
 And thou, the scorn of every patriot's name,  
 Thy country's ruin and her council's shame!  
 Poor servile thing! Derision of the brave!  
 Who erst from Tarleton fled to Carter's cave,  
 Thou who when menaced by perfidious Gaul  
 Didst prostrate to her whiskered minions fall;  
 And when our cash her empty bags supplied  
 Didst meanly strive the foul disgrace to hide;  
 Go, search with curious eyes for horned frogs,  
 Mid the wild waste of Louisiana bogs;  
 Or where Ohio rolls his turbid stream  
 Dig for huge bones, thy glory and thy theme.

. . . . .  
 But quit to abler hands the helm of state  
 Nor image ruin on thy country's fate. . .<sup>130</sup>

The use of poetry to attack the embargo was not confined to the North. The last stanza of a poem written and used in Charleston, South Carolina, is worth quoting:

Then hail Columbia! happy land! and hail ye Heav'n born sages!  
 Your wise Embargo long shall stand in fame's immortal pages;  
 Long-winded Madison shall prate of British usurpation,  
 Till xxx blow the blockheads up and save a sinking nation.<sup>131</sup>

Jefferson, like many people of the present day, appeared to live for applause, but little came to him or his measures from New England. Ridiculed in newspapers, denounced in public assemblies and in song, he persisted long in his efforts to save his favorite child in spite of the dangers to himself and party. A song composed by Henry Mullen of Dover, New Hampshire, and sung there at the fourth of July celebration in 1808, showed the characteristic New England attitude, and consequently, though rather long, is quoted in entirety:

<sup>130</sup> *Embargo*. Quoted in Muzzey, David, *Thomas Jefferson*, p. 278.

<sup>131</sup> Boston *Reperetory*, September 2, 1808. "XXX" stand for Pinckney, Pickering, Randolph, etc.

Dear sirs, it is wrong  
 To demand a *new song*;  
     I have let all the breath I can spare go;  
 With the Muse I've conferr'd,  
 And she won't say a word,  
     But keeps laughing about the *Embargo*.

I wish that I could  
 Sing in Allegro mood;  
     But the times are as stupid as *Largo*;  
 Could I have my choice,  
 I would strain up my voice,  
     Till it *snapt* all the strains of *Embargo*.

Our great politicians,  
 Those dealers in visions,  
     On *paper*, to all lengths they dare go  
 But when call'd to decide,  
 Like a *turtle* they hide  
     In their own pretty *shell*, the *Embargo*.

In the times that we try  
 To put out Britain's *eye*  
     I fear we shall let our own *pair* go;  
 Yet still we're so wise,  
 We can see with *French* eyes  
     And then we shall like the *Embargo*.

A French privateer  
 Can have nothing to fear;  
     She may *load* and may *here* or may *there* go;  
 Their friendship is such,  
 And we love them so much,  
     We let them slip thru' the *Embargo*.

Our ships, all in motion,  
 Once whitened the ocean,  
     They sail'd and return'd with a *cargo*;  
 Now doom'd to decay  
 They have fallen a prey  
     To Jefferson, worms, and *Embargo*.

Lest Britain should take  
 A few men by mistake,  
     Who under false colours may dare go;  
 We're manning their fleet  
 With our Tars who retreat  
     From poverty, sloth, and *Embargo*.



What a *fuss* we have made  
About rights and *free* trade,  
    And swore we'd not let our own share go;  
Now we can't for our souls  
Bring a Hake from the *shoals*  
    'Tis a breach of the *twentieth Embargo*.

Our farmers so gay,  
How they gallop'd away,  
    'Twas money that made the old mare go.  
But now she won't stir  
For the whip or the spur,  
    Till they take off her clog, the *Embargo*.

If you ask for a debt,  
The man turns in a *pet*;  
    I pay, Sir? I'll not let a hair go;  
If your officer comes,  
I shall put up my thumbs,  
    And clap on his breath an *Embargo*.

Thus Tommy destroys  
A great part of our joys;  
    Yet we'll not let the beautiful fair go;  
They all will contrive  
To keep Commerce alive,  
    There's nothing they hate like *Embargo*.

Since rulers design  
To deprive us of wine,  
    Tis best that we now have a *rare go*;  
Then each to his post,  
And see who will do most  
    To knock out the blocks of *Embargo*.<sup>132</sup>

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<sup>132</sup> *Port Folio*, Vol. VI, No. 5, p. 80. Saturday, July 30, 1808. This poem is also found in the *Boston Repertory* of July 15, 1808.

## CHAPTER VI

### GROWING OPPOSITION TO EMBARGO FINALLY FORCES REPEAL

That Jefferson considered the possible effects of the embargo on the political future of his party is apparent from his writings, but that he was determined to persist in spite of its possible influence on the coming presidential election in November of 1808 is even more apparent. His letter of August 11, 1808, to Gallatin, already quoted, refers to "embarrassments" arising from the embargo, but, nevertheless, explicitly states that "Congress must legalize all *means*" necessary to enforce the embargo.<sup>1</sup> That letter was written only five days after Gallatin had written him that if the embargo were not raised before the first of October they would lose the presidential election. The Secretary of the Treasury declared that the western states, and Virginia, South Carolina, and Georgia were the only sound states. In every other one, he said, they would have a doubtful contest.<sup>2</sup> There is little doubt in the mind of the present writer that this fear of Federalist success was one of the "embarrassments" Jefferson had in mind when he penned the letter of August 11. Gallatin's letter, in turn, might have been influenced by one he received from Robert Smith, dated Baltimore, August 1. Smith had written:

Most fervently ought we to pray to be relieved from the various embarrassments of this said embargo. Upon it there will, in some of the States, in the course of the next two months, assuredly be engendered monsters. Would that we could be placed upon proper ground for calling in this mischief-making busybody.<sup>3</sup>

John Howe, the British agent, who was a very keen observer, wrote to Prevost on June 22, that the Federalists had a good chance to win New Jersey.<sup>4</sup> On August 5, however,

<sup>1</sup> Jefferson, *Writings*, Vol. IX, p. 202.

<sup>2</sup> Gallatin, *Writings*, Vol. I, p. 402.

<sup>3</sup> Adams, Henry, *Life of Albert Gallatin*, p. 373.

<sup>4</sup> *American Historical Review*, Vol. 17, pp. 93, 94.

after the completion of a southern trip, he wrote that the Federalists were deceiving themselves in expecting success in North Carolina, South Carolina, and Georgia, for, though suffering from the embargo, the people had "the most bitter enmity to Great Britain." Later on, in this same letter, he declared that he could not see Federalist success south of Pennsylvania.<sup>5</sup> Afterwards, from Boston, in an undated letter probably written about election time, Howe declared that the embargo had "completely federalized all the New England states."<sup>6</sup>

Howe proved a better prophet than Gallatin. Massachusetts, it is true, early relapsed to Federalism and Senator John Quincy Adams was overthrown in the spring of 1808. The Federalists also made gains in New York in the spring elections. New Hampshire and Rhode Island chose electors by popular vote; by fair majorities they cast their votes for Pinekney in place of Madison. In Massachusetts and Connecticut, Federalist electors were chosen by the legislatures. Early in September Vermont elected a Federalist governor, but the "rotten boroughs" of the state were numerous enough to enable the legislature to choose electors pledged to Madison. If Vermont had been counted as she voted in September, the Federalists would have received forty-five electoral votes in New England, whereas they only received nine in 1804. In New York the opponents of the embargo were strong, and in a popular vote nineteen electors might have been wrested from Madison. In that case Pennsylvania's vote would have been decisive. Maryland and North Carolina were close and might have followed Pennsylvania's lead. The result, however, was already decided. Pennsylvania voted for Madison. Simon Snyder was chosen governor by a majority of twenty thousand. Monroe withdrew from the contest and thus kept Virginia's vote from being divided. DeWitt Clinton contented himself with depriving Madison of six of New York's electoral votes and casting them for his uncle, George Clinton,

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<sup>5</sup> *Ibid.*, pp. 99-102.

<sup>6</sup> *Ibid.*, pp. 332, 333.

the vice president. The true results of the election were thus not apparent, but the Republican votes fell from 162 in 1804 to 122 in 1808, the Federalist minority increasing from 14 to 47.<sup>7</sup>

On January 21, 1809, Jefferson, in his letter to Thomas Leiper, admitted that the Federalist charges, growing out of the embargo policy, that he wanted to destroy commerce by adopting a Chinese policy, had done "much to federalize New England."<sup>8</sup> Later, on March 8, 1809, he went further in his letter to William Short. He said: "Our embargo has worked hard. It has in fact federalized three of the New England States. Connecticut you know was so before."<sup>9</sup>

The New England towns, of course, had an excellent way of showing their dissatisfaction by means of town meetings. These were numerous at all times and great indignation was expressed against the embargo, Jefferson, and the Republicans. On March 25, 1808, Benjamin Tallmadge, a Connecticut member of the national House of Representatives, wrote to James McHenry, former Secretary of War under Washington and Adams:

The Spirit of '76 seems to be again breaking out in New England. In Northampton the people have assembled and voted on public measures like *free men*, & have recommended similar meetings through the country. In the State of New Hampshire, the *dominant* party begins to take back Ground, & hopes are entertained that the Embargo may prove an useful medicine. If these primary *Assemblies* should begin to act with vigor, my word for it, the higher constituted Authorities will feel their Influence.<sup>10</sup>

On Saturday morning, the 26th, he added the following:

P. S. Since I wrote the foregoing, I have procured a No. Hampton paper which I will enclose for your perusal. A letter from a Gentleman at N. Hampton, just recd. remarks that, in consequence of the Notification expressed in the 4th vote, Meetings had been legally warned & held through *Hampshire County* (of which No. Hampton is the County Town) & that between 50 & 60 Towns had united to petition Congress etc. etc. These petitions may soon be expected at the seat of Government. As soon as

<sup>7</sup> Adams, Henry, *History of the United States*, Vol. IV, pp. 283-287. For the completely tabulated vote, see Stanwood, *History of the Presidency*, Vol. I, p. 95.

<sup>8</sup> Jefferson, *Writings*, Vol. IX, p. 239.

<sup>9</sup> *Ibid.*, p. 249.

<sup>10</sup> Steiner, B. C., *The Life and Correspondence of James McHenry, Secretary of War under Washington and Adams*, p. 546.

these Events are made known I presume the Majority will begin to talk about an Adjournment of Congress etc.<sup>11</sup>

Inflammatory notices early appeared in the newspapers and urged the meetings to which Tallmadge referred. One of these, signed by a coaster, read:

### AROUSE — AWAKE!

How long are the Inhabitants of Massachusetts to remain in their present quiescent state! Why do not the citizens assemble and express their sentiments upon the measures of the Government, in a firm, dignified and constitutional manner!

An Embargo Upon Our Coasting Trade!! No vessel above Twenty Tons to go from Port to Port!!!!

Forbid it, ye Citizens of the extensive Sea Coast of Massachusetts; arouse, arouse from your lethargy, assemble in your different towns, and convey *your Will* to your *Servants* in Congress.<sup>12</sup>

The *National Intelligencer* carried a department under the title *Quem Deus Vult Perdere, Prius Dementat* in which it quoted from radical anti-administration newspapers. The *New York Commercial Advertiser* was represented as saying:

They [the people] are quitting with precipitation the whitened sepulchre of all unhinging democracy, that slaughter-house of true liberty, inhabited only by the blood-stained ghosts of Robespierre, Marat, etc. to enter once again into the temple of truth, candor and federalism, where the paternal shade of Washington with anxious solicitude, beckons their approach, and with characteristic benignity welcomes their return to their father's mansion, from which in an *evil hour* they had strayed.<sup>13</sup>

Petitions and memorials prepared in or as a result of town meetings came to Congress and Jefferson. The memorial of St. Albans has already been considered. Only one other of the petitions or meetings following the early embargo acts will be considered here. That meeting was held in Boston at Faneuil Hall, August 9. Jonathan Mason offered a motion that it was expedient to petition the president to suspend the embargo wholly or partially in accordance with the powers vested in him by Congress, and, if he had any doubts about the matter, that he call Congress together as soon as possible. The motion also included the appointment of a committee

<sup>11</sup> *Ibid.*, p. 546.

<sup>12</sup> *Boston Gazette*, March 18, 1808.

<sup>13</sup> *National Intelligencer*, August 1, 1808.



of seven to prepare and submit to the town a memorial. After a spirited debate, Mason's resolution passed by a big majority. At four o'clock the following memorial was passed almost unanimously:

That uniformly influenced by a sense of Patriotism, & a respect for the Constituted Authorities of their Country, they have sustained without opposition or complaint the embarrassments & losses arising from the existing embargo on the vessels & export trade of the United States; and they trust that the history of the revolutionary war, & the annals of the present government will furnish ample testimony of their readiness to make any personal sacrifice & to endure any privations which the public welfare may truly require.

That they are fully aware of the indispensable necessity of supporting at all times the laws enacted by the Government of their choice. Under this impression they have refrained from expressing the wishes they most sensibly feel for the removal of the Embargo, & but for the great events in Europe [revolutions in Spain driving out French] which materially change the aspect of our foreign relations, they would yet silently wait for the Meeting of Congress, in the hope of obtaining from that Honorable Body relief from the pressure of this great calamity, which bears with peculiar weight on the Eastern States.

Denied by nature those valuable & luxuriant Staples which constitute the riches of the south, they necessarily owe much of their prosperity under the Blessing of Heaven to their own enterprise & Industry on the Ocean. . .

They therefore pray that the Embargo in whole or in part may be suspended according to the powers vested in the President by the Congress of the United States, & if any doubt should exist of the competency of those powers they would humbly request that the Congress may be convened as early as possible, for the purpose of taking the subject into their consideration.<sup>14</sup>

The selectmen were then appointed to transmit the petition to the president, and also to communicate their action to the other towns of Massachusetts, "and to request them, if they see fit, to lay the same before their several Towns for their concurrence."<sup>15</sup>

Canon, Barnstable, Lynn, Watertown, Bridgewater, Rochester, Tisbury, Noblesborough, Scarboro, Monmouth, Limington, Standish, Parsonsfield, New York, Wrentham, Salem, Worcester, Pittstown (Me.), Newburyport and other towns

<sup>14</sup> A Volume of Records Relating to the Early History of Boston containing Boston Town Records 1796 to 1813, pp. 237-239.

<sup>15</sup> *Ibid.*, p. 239. See also *Massachusetts Spy or Worcester Gazette*, August 17, 1808.

through selectmen, town meetings, or specially called meetings of citizens failed to follow Boston's advice.<sup>16</sup>

On the other hand, numerous towns as Portland, Portsmouth, Hamilton, Wenham, Ipswich, Beverly, Sterling, Lancaster, Northborough, Rutland, Leominster, Petersham, Brighton, Somerset, Duxbury, Waldoborough, Bolton, Warren, Sanford, Gorham, and Vassalborro condemned the embargo. The Federal Republicans of Norfolk district at Dedham on October 4 did likewise. Two days later an Essex county meeting (representing Salem, Beverly, Newburyport, Ipswich, Newbury, Lynn, Gloucester, Rowley, Salisbury, Wenham, Manchester, Haverhill, Bradford, Boxford, Methuen, Middleton, Andover, Marblehead, Topsfield, Danvers, and Hamilton) held at Topsfield condemned the embargo. New Bedford, Augusta, Belfast, Douglas, and Plymouth were also numbered among the numerous towns showing sympathy for Boston.<sup>17</sup>

English newspapers, carefully watching American news, noted this growing opposition. "In America, the operation of the embargo seems to be severely deprecated by almost all descriptions of people," remarked one, "and the numerous petitions for its revocation, which are assailing the President from every commercial town in the States, will probably lead to its removal, or to more serious consequences. . ."<sup>18</sup> Over a month later the same paper remarked:

The American people suffer so much from the Embargo that they speak to their Government for its revocation in a language which *must* be heard. The opposition to the measures of the President ceases to be the clamor of a party; it has become the voice of the nation, and is every day more strongly and more decidedly expressed. . .<sup>19</sup>

A radical New Orleans paper vigorously attacked the embargo and its supplemental measures which were designated as troughs. The editor pointed out the harmful effect on the

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<sup>16</sup> *Independent Chronicle*, September 1, and 22, 1808.

<sup>17</sup> *Massachusetts Spy or Worcester Gazette*, August 24 and September 7, 1808; *New England Palladium*, September 16, 1808; *Boston Reperetory*, October 14, 1808. See also McMaster, J. B. *History of the People of the United States*, Vol. III, pp. 312, 313.

<sup>18</sup> *Independent Whig*, October 16, 1808.

<sup>19</sup> *Ibid.*, November 27, 1808.

rich man's palace, the poor man's harvest, and ridiculed the embargo's supposed efficacy in bringing England to terms.<sup>20</sup>

December 22, 1808, the anniversary of the passage of the embargo act, was observed as a day of mourning in many of the New England towns by the Federalists. At Salem the sailors met at sunrise at the old historic North Bridge and fired minute guns for a half hour. At Beverly the vessels in the harbor displayed their flags at half mast; the crews marched the street to dismal music. The flag on the great bridge at Providence hung at half-mast throughout the day; the ships in Boston Harbor were "shrouded in mourning."<sup>21</sup> Portland solemnized the anniversary of the embargo as a day of mourning. The bells were tolled, vessels suspended their colors at half mast, "a solemn procession of suffering people with badges of mourning" carried a dismantled ship.<sup>22</sup>

At Newburyport, Massachusetts, bells tolled at sunrise, flags hung at half mast, and minute guns were fired. The tolling of bells and the discharge of cannon were repeated at twelve and four o'clock. A procession of sailors with crape on the left arm, marshalled by an officer, marched with muffled drum through the principal streets of the city. A dismantled ship came next in the procession. A bell tolled on the vessel, and inverted cans, signifying a lack of grog, capped her masts. "Death to Commeree" appeared on a flag. "O grab me" was painted on the bows of the vessel. An old sailor stood on the quarter deck, inquiring in the words on her stern, "*Which way shall I steer?*" Just across from the custom house was a flag representing a terrapin with his head in "*most dignified retirement.*" When the procession reached the custom house, it halted, and a sailor standing in the main chains delivered a carefully prepared address. A large crowd of spectators heartily applauded. The sailors concluded their ceremony with a clam dinner.<sup>23</sup>

20 *La Lanterne Magique*, November 20, 1808.

21 McMaster, J. B., *History of the People of the United States*, Vol. III, p. 323; and *Boston Gazette*, December 22, 1808.

22 *New England Palladium*, January 10, 1809.

23 *Boston Reperetory*, December 27, 1808.

The following item, surrounded in heavy black, appeared in a Boston paper:

This day completes one whole year since the passing of Mr. Jefferson's first Embargo Law. It is an epoch, which we are bold in asserting, has no parallel in political or commercial history; and in the contemplation of its extraordinary features and effects, brings to remembrance a retrospect of privations, at once painful and humiliating. As we are doomed to this species of political castigation by the *authority of Law*, it is perhaps a praiseworthy action of moral patriotism to suffer patiently; but how far the stoicism of those, who feel its inefficacy and inexpediency—whose fortunes have been abridged and their accustomed avocations completely annihilated by the “*strong*” and “*coercive*” measure, will endure is a question of no ordinary magnitude and importance. At present, they rest in silence, leaning on the anchor of Hope and appear by the annexed comments, to offer on this inauspicious day, no other show of resistance, than what is exhibited in the usual emblems of mourning.<sup>24</sup>

The Washington *Federalist* of December 22 gave voice to a more inflammatory editorial:

This is the Birthday of the Embargo. This illshapen brat of backstairs intrigue has now lived a year. The first thing of the kind that ever arrived at such an age. And Mr. Jefferson is the only potentate that ever lived, who had either power or will to keep such a monster alive for such a length of time. It surprises and astonishes the present race of mankind, and will be described by generations to come with wonder and amazement. The future historian will search for the reason for the birth, life and adventures of this all devouring animal; but for the honor of human nature we hope he will search in vain. How much longer we are to pant under the pestiferous breath of this poisonous dragon is not for us to determine. This much we can predict, however, without the spirit of prophecy, that if the fathers of the monster, do not soon stifle it, a Hercules will arise in the north who will put it to rest.<sup>25</sup>

Even before the Enforcement Act was passed in accordance with Gallatin's wishes, a Boston paper made a strong attack on the anticipated measure:

If the people of New England will bear the measures now proposed by Mr. Gallatin's report for enforcing the Embargo they are already slaves and nothing is to be hoped for. Mr. Giles has already brought in a Bill in conformity to this report, by aid of which the Embargo Laws are to be enforced with a tyranny equal to Bonaparte's. And what is most alarming of all, is this, that the authority of the state governments is to be crushed and the officers of the general government may plunder

<sup>24</sup> Boston *Gazette*, December 22, 1808.

<sup>25</sup> *United States Gazette*, December 29, 1808.

and murder and will still be protected by the strong arm of a Jacobin administration.

How is Massachusetts, the cradle of American liberty fallen? Her rights are destroyed—her citizens enslaved.<sup>26</sup>

A New York paper, on January 4, 1809, declared that the enforcing act exhibited despotism “without even a cobweb to cover its nakedness.”<sup>27</sup>

After the passage of the Enforcement Act, January 9, 1809, newspapers, protests, and town meetings became very inflammatory. Three weeks later the editor of a New York paper wrote:

We this day place upon our *Journal*, that monstrous engine of oppression, projected by Albert Gallatin—framed by the Virginia Giles—and put into operation by the servile majority in Congress. Bad as this law is, it has at least one good effect. It has served to convince everybody of the desigus of the administration, and to arouse the patriotism of the nation.

As the most trifling infraction of this law will be punished in a terrible manner, we beg leave to advise our readers to read it with attention, and scrupulously obey its injunctions.<sup>28</sup>

The same paper then referred to the talk of rebellion:

Insurrection!—Rebellion!—Treason!

These three words furnish the subject matter of nine-tenths of the contents of all of our jacobin papers. The slaves who conduct these papers are advised to “*keep their temper.*” Their trick will no longer gull the people—and their vapoing is lost on the patriots of the country. The heroes of the revolution were called *rebels*, *insurgents*, and *traitors*, by just such slaves in '74, 5 & 6. In those stormy days, they opposed the tyrannical decrees of George the Third. They now feel impelled by their duty to oppose the no less tyrannical decrees of a man, who, under the garb of republicanism, assumes more power than any monarch on earth, Bonaparte excepted. If they are again called *rebels*, *insurgents*, and *traitors*, they will regard it as little as they did then. They will always be found equally faithful and steadfast in their principles, and equally indifferent to the threats and menaces of despots and their tools.<sup>29</sup>

The Boston *Reperetory* again declared that the enforcement act would soon be set at defiance, if not repealed, and that it behooved the people of Massachusetts “to speak, for strike

<sup>26</sup> Boston Gazette, December 25, 1808.

<sup>27</sup> The Balance and New York State Journal, January 4, 1809.

<sup>28</sup> Ibid., January 28, 1809.

<sup>29</sup> Ibid., January 28, 1809.



they must if speaking did not answer.”<sup>30</sup> A handbill circulated at Newburyport contained the following:

You have reposed confidence in a coward [Jefferson]. Nerve your arms with vengeance against the despot who would wrest the inestimable germ of your independence from you, and you shall be conquerors. Give ear no longer to the siren voice of democracy and Jeffersonian liberty. It is a cursed delusion, adopted by traitors, and recommended by sycophants.<sup>31</sup>

Resolutions from Bath, Gloucester, Augusta, Belfast, Castine, Alfred, Portland, Wells, Hallowell, Beverly, Salem, Newburyport, Gloucester, Boston, Cambridge, Hadley, Brewster, Sanford, Northampton, North Yarmouth, Amesbury, Oxford, New Bedford, Provincetown, Plymouth, Marblehead, Duxbury, Somerset, Taunton, Lynn, Bolton, Sterling, and from dozens of other places came pouring in on Jefferson and Congress in condemnation of the hostile attitude towards Great Britain and “cringing sycophaney” towards France.<sup>32</sup>

Even before the passage of the Enforcement Act of January 9, 1809, a town meeting in Bath, Maine, on December 27, 1808, as reported in the *New England Palladium* of January 3, 1809, adopted resolutions calling on the general court at its meeting of January 25, to take immediate steps to relieve the people “either by themselves alone, or in concert with other commercial states.” At the same time, the Bath meeting voted “that a committee of safety and correspondence be appointed to correspond with committees of other towns . . . and watch over the safety of the people of this town, and to give immediate alarm so that a regular meeting may be called whenever any infringement of their rights shall be committed by any person or persons under color and pretence of authority derived from any officer of the United States.”<sup>33</sup> On January 12, Gloucester formally approved the Bath Resolutions, voted an address to the general court, and appointed a committee of public safety.<sup>34</sup> Other towns, however, in general, dropped

<sup>30</sup> See the collection of clippings in Randall, H. S. *The Life of Thomas Jefferson*, Vol. III, p. 283.

<sup>31</sup> Randall, H. S., *Life of Thomas Jefferson*, Vol. III, p. 283.

<sup>32</sup> McMaster, J. B., *History of the People of the United States*, Vol. III, pp. 327, 328.

<sup>33</sup> Adams, Henry. *History of the United States*, Vol. IV, pp. 409, 410.

<sup>34</sup> *Ibid.*, p. 410.



the committees of public safety, but the town meetings continued. As reported in the *New England Palladium* of February 3, 1807, the town of Wells in the district of Maine voted, on January 23: "That we deprecate that cringing sycophancy which has marked the conduct of our national government toward the tyrant of Europe, while we view with indignation and alarm its hostility toward Great Britain."<sup>35</sup> The *New England Palladium* of February 17, 1809, presented the petition of Alfred, a small town of Maine. This petition charged the national government with an attempt "to provoke a ruinous and destructive war with England, to gratify the ambition and caprice, and augment the power of the tyrant of France."<sup>36</sup>

Two protests against the embargo, and particularly against the Enforcement Act will be considered in some detail here—one from the third ward of New York City and the other from a Boston town meeting. On February 6, 1809, Mr. Mumford of New York presented to the House a memorial from New York City addressed to Congress.<sup>37</sup> This remonstrance pointed out the evils under the enforcement act, the delays, vexations, and oppressions, upon practically every class of the community.

Upon the small trader and boatman, when unable to find security [read the memorial,] the act operates as a total prohibition of the use of his property. It increases the expenses and risks of those engaged in transportation; it thus diminishes competition and supplies; and, without benefitting the farmer, enhances the prices of fuel and provisions in the cities, at a time, in other respects, sufficiently calamitous.<sup>38</sup>

Objections were urged to the number and amount of bonds, spies and informers, extra officers, and arbitrary power. "We presume," so read the memorial, "New York is the only city on earth, where according to a public and formal law, the people may be starved at the mere will of a single individual."<sup>39</sup> The protest declared:

<sup>35</sup> *Ibid.*, p. 414.

<sup>36</sup> *Ibid.*, pp. 415, 416. See also *Boston Columbia Centinel*, February 22, 1809.

<sup>37</sup> *Annals of Congress*, Vol. 19, pp. 1777-1780.

<sup>38</sup> *Ibid.*, pp. 1778, 1779.

<sup>39</sup> *Ibid.*, p. 1779.

To hardships, deprivations, and oppressions, such as this act may impose, it scarcely can be expected that the freemen of this country will submit.

They can never submit to military government.

They can never surrender the trial by jury.

They can never consent to hold their property subject to the arbitrary control of any man.

They can never surrender those other essential rights of freemen which are guaranteed by the State and General Constitutions, which their fathers fought to maintain and which, when the occasion calls for it, they will also know how to defend.<sup>40</sup>

Because of its influence on other, places the Boston town meeting of January 23 and 24, 1809, will be considered in some detail. This meeting was called in Faneuil Hall on January 23, but on the first day, after a moderator had been chosen, resolutions had been considered, and a committee had been appointed, adjournment was made until ten o'clock the next morning. On that day resolutions were read and accepted by a large majority. They were addressed to the Senate and House of Representatives of the Massachusetts legislature. They asked the legislature to request the national government to remove the embargo laws which were "subjecting the coasting trade to embarrassments which threaten its annihilation." After reminding the legislature that all powers not expressly delegated to the general government were reserved to the state, the memorial continued:

We submit to the consideration of the Legislature, whether this most important maxim has not been violated, by the passing of an Act, in the first instance permanently prohibiting foreign commerce, and thus subjecting this all important object of the National Government, to the pleasure of the Executive and one-third part of the Senate. So extravagant an Exercise of Power was calculated to excite jealousy and alarm, and to rouse a spirit of opposition among the people of thousands of whom it may be affirmed *that their house is on the Ocean*, and with respect to all of whom, it is certain, that their prosperity, by the unchangeable circumstances of local situation, immemorial habits, and the established relations of society, is absolutely dependent on Commerce.

Your Memorialists were not, however, swift to condemn,—nor rash to violate the provisions of the first act; they were on the contrary disposed to acquiesce in a measure which, though beyond their comprehension, might have originated in circumstances not disclosed to them. They trusted to the assurances of the Executive Message that it was merely a measure of

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<sup>40</sup> *Ibid.*, pp. 1779-1789.

precaution; and to the imperious necessities of the Nation, that its duration would be short. But as the projectors of their experiment advanced to the maturity of their system, the mask was gradually lifted; and while official communications at home and abroad, insisted upon the merely pacific, and preservative character of the Embargo Laws, it was disclosed from other sources, that their true features were those of hostility and coercion; and the Administration, and their friends no longer conceal that the Embargo is "War in disguise," and is soon to be followed by *open War*.<sup>41</sup>

In the next place, the memorial condemned the pride and poor judgment that thought our commerce was necessary to foreign nations. It contended that the measure was perhaps not "unacceptable" to Great Britain, for it had taught her colonies that they were independent of the United States and had stimulated them to successful competition with the new republic. The abandonment of the ocean, the remonstrance urged, was a substantial compliance with the demands of France and hence had received the approbation of Napoleon. As a measure of coercion the embargo was declared impotent against Great Britain and France, but fraught "with absolute destruction" towards the United States. The supplemental act just passed was declared "repugnant to the Constitution and to the first principles of free government."

Under colour of this Law, [read the memorial], a citizen is subjected to penalties and forfeitures, though not privy to any breach of its provisions. He may be charged with and convicted of crimes and offences, though innocent of intentions to commit them. He is subject to unreasonable searches and seizures of property, upon mere suspicion of an intention to violate the Law, and the discretion of an interested officer is the standard by which the reasonableness of the suspicion must be tested. His Vessels, his Warehouse, the most secret, and sacred depositories of his property and effects, *not excepting his Habitation*, are liable to be ransacked, upon mere suspicion, by a military force under general instructions from the President of the United States; and when by *the act of God*, he is prevented from complying with the requisitions of the statute, he is deprived of the benefit of his trial by Jury (unless he can furnish a species of evidence, which will be in most cases impossible) and must rely for mercy upon the mere will and pleasure of an individual dependent on Executive favour.<sup>42</sup>

<sup>41</sup> *A Volume of Records Relating to the Early History of Boston Containing Boston Town Records, 1796 to 1813*, pp. 240, 241.

<sup>42</sup> *Ibid.*, p. 242.

The memorial then affirmed that war was the intention of the government and raised the question as to which nation would be fought. Though possibly commenced against both, the remonstrance stated, war would soon be continued against one only, Great Britain, and probably in alliance with the other, France. In such a case, the memorialists declared, every success should "be deplored as a defeat," and "ultimate success would be certain ruin." The memorial asked the legislature to take any steps it saw fit to obtain the repeal of the embargo and prevent war; it pledged, moreover, its support in advance, of any measures the legislature might see fit to adopt.<sup>43</sup>

Captain Daniel Sargent then arose and offered additional resolutions which were passed without debate. The embargo was declared in "many respects repugnant to the Constitution of the United States, the State Constitution, and to the fundamental principles of all free Governments." The basis for this opinion was set forth in detail and the resolutions followed:

Therefore, Resolved, That we will not voluntarily aid or assist in the execution of the Act passed on the ninth day of this month, for enforcing the several Embargo Laws; and all those who shall assist in enforcing on others the arbitrary and unconstitutional provisions of this act, ought to be considered as enemies to the constitution of the United States and of this state, and hostile to the Liberties of this people.

Resolved, That the raising of a large standing Army in a time of profound peace with the name and title of "*Volunteers*" for the purpose of enforcing Arbitrary and unconstitutional Laws, and the attempt to place the Military above the civil authority—though it cannot overaw or dismay this *great and powerful* People—yet must be considered as dangerous to Liberty and ought to call forth the most pointed disapprobation of all its friends.

Resolved, That the example given by that veteran Soldier Gen. Lincoln & other undeviating Patriots, in resigning Offices intended to be prostituted to subserve the purposes of oppressing the citizens and enforcing arbitrary edicts, ought to be imitated by all Public officers, and that the Inhabitants of this Town consider it an highly honourable sacrifice of individual emolument to Public welfare. Voted that these Resolutions be adopted by the Town and printed in the public Papers.<sup>44</sup>

The clamor coming from embargo opponents should not, how-

<sup>43</sup> *Ibid.*, pp. 243, 244.

<sup>44</sup> *Ibid.*, pp. 244, 245. General Benjamin Lincoln is the one meant. He was collector of the port of Boston and not lieutenant-governor.

ever, blind us to the fact that even after the passage of the odious enforcement act of January 9, 1809, friends of the administration held meetings in its support. Only four of these will be noted, but all four were important. Five or six thousand Republicans met in the park at New York City and voted confidence and support in the administration.<sup>45</sup> A Philadelphia town meeting of January 24, passed resolutions in support of the embargo. One of these read:

Resolved, That the embargo is a measure of prudence, policy, and patriotism—has our entire approbation, and that, in our opinion, had it been rigidly observed, it would have produced all the good hoped for by its friends, and have prevented the necessity of a recurrence to any other means to ensure justice from the belligerent nations.<sup>46</sup>

Baltimore citizens to the number of five thousand passed resolutions approving the embargo and the administration. In addition they gave an interesting comment on the condition of the country by adopting resolutions in condemnation of measures unauthorized by the Constitution and pledging themselves to "resist to extremity, any attempts to dissolve the union of these states, the basis of our unrivaled prosperity."<sup>47</sup>

On February 20, 1809, the Republicans of Pittsburgh upheld the administration, condemned Pickering, Gardenier, and Quiney by name and others by implication as meriting "warmest indignation" for encouraging belligerents to violate our rights. One resolution read:

Resolved, That the embargo was the wisest measure which under existing restrictions of the rights of neutrals by G. Britain and France, could be opposed to the unjust edicts of those nations; and that so far its consequences have been highly beneficial, inasmuch as it has preserved an immense capital belonging to our merchants from the grasp of the robbers of the ocean, and given time for offensive and defensive operations; and convinced the tyrants of the sea and land, that the American people will suffer every privation rather than submit to the tyranny and injustice of any power on the globe.<sup>48</sup>

Naturally, the state legislatures were at times forced to take

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<sup>45</sup> *National Intelligencer*, February 1, 1809.

<sup>46</sup> *Ibid.*, January 30, 1809.

<sup>47</sup> *Ibid.*, February 1, 1809.

<sup>48</sup> *Ibid.*, April 12, 1809.



action either for or against the embargo. On November 15, 1808, a committee of the Massachusetts legislature asked for the repeal of the embargo laws; the legislature approved the petition and a copy was sent to Congress.<sup>49</sup>

Levi Lincoln, lieutenant governor of Massachusetts and acting governor since Sullivan's death delivered a speech to the legislature on January 2, 1809, in support of the national administration and derogatory of excitable town meetings.<sup>50</sup> He denied the prevalent reports that the administration and southern people were unfriendly to commerce, though he disclaimed any intention of questioning the motives of others. He praised the talents, zeal, and work of the party in power, but declared: "Misrepresentations, groundless suspicions, violent and indiscriminate abuse, unless checked, must end in opposition to the law, contempt for its authority and distracted breaches of the public peace."<sup>51</sup> The Senate, on February 3, passed resolutions objecting to Lincoln's message.<sup>52</sup>

On February 1, Lincoln issued a proclamation in pursuance of the act of January 9, 1809, calling upon certain officers and the militia to execute more effectually the embargo law.<sup>53</sup> A committee of the House reported unfavorably on this proclamation, and the report was accepted by a vote of 173 to 104.<sup>54</sup> The report was:

Wherefore resolved—That in the opinion of this house, the said military orders of the 1st of February instant issued by his honour Levi Lincoln, lieutenant governor and commander in chief of the commonwealth, are irregular, illegal and inconsistent with the principles of the constitution; tending to the destruction of military discipline, an infringement of the rights, and derogatory to the honour of both officers and soldiers; subversive of the militia system, and highly dangerous to the liberties of the people.<sup>55</sup>

A memorial and remonstrance of the Massachusetts legislature was prepared and sent to Congress. It pointed out the

<sup>49</sup> *Annals of Congress*, Vol. 19, pp. 128, 129.

<sup>50</sup> *American Register*, Vol. V, pp. 183-191.

<sup>51</sup> *Ibid.*, p. 187.

<sup>52</sup> *Ibid.*, pp. 191-196.

<sup>53</sup> *Ibid.*, pp. 196, 197.

<sup>54</sup> *Ibid.*, pp. 197-202.

<sup>55</sup> *Ibid.*, p. 201.

dangerous powers exercised through the embargo, showed the harmful effects exercised on commerce, declared that farmers and sailors could not by an act of government be converted into manufacturers, urged that merchants and mechanics would never consent to retire from the seashore to the interior of the country, and insisted that the history of the world showed that even the most despotic of governments hardly ever succeeded in changing the habits of a people. The remonstrance then condemned the changing instructions given by the president for former standing laws, the "indefinite and almost unlimited authority" given to customs officers, and the excessive sureties, fines and penalties imposed. It referred to the past patriotism of Massachusetts, repelled charges against her loyalty, and insisted that France was the principal aggressor, while Great Britain had shown a tendency to cultivate a friendly understanding.<sup>56</sup>

On February 4, 1809, Governor Trumbull of Connecticut had answered the Secretary of War's letter concerning embargo enforcement in part as follows:

I have received your letter of the 18th January, conveying to me a request of the president of the United States, that as commander in chief of the militia of the state, I would appoint a select number of officers of our militia, to whom the collectors of the customs may apply for military aid in certain cases, which may *by them*, be thought necessary for compelling obedience to the laws of Congress enforcing the embargo.\* \* \*

I have reflected that neither the constitution nor statutes of this state, have given to the commander in chief of its militia, any authority to make such appointment of officers as has been requested; nor does my information suggest to me, any authority given to the president of the United States derived either from the constitution or laws of the United States, to call upon the executive of an individual state to take an agency in appointments, such as are contemplated by the request mentioned.

Conceiving also as I do, and believing it to be the opinion of the great mass of the citizens of this state, that the late law of Congress for the more rigorous enforcement of the embargo is *unconstitutional* in many of its provisions, interfering with the state sovereignties, and subversive of the guaranteed rights, privileges and immunities of the citizens of the United States; I have from these considerations deemed it peculiarly and highly improper for a state executive to contribute his *volunteer* aid in support of laws bearing such an aspect.<sup>57</sup>

<sup>56</sup> *Ibid.*, pp. 202-208.

<sup>57</sup> *Ibid.*, p. 178.

The governor, on February 25, asked a special session of the legislature to consider the embargo laws by committee. He referred to the numerous petitions and resolutions drawn up by town meetings, the apparent permanency of the embargo laws, and the "many very extraordinary, not to say unconstitutional provisions" for the execution of the act of January 9. He pointed out the dangerous state of the country and asked the legislature "to devise such constitutional measures as in their wisdom" might "be judged proper to avert the threatening evil."<sup>58</sup> The legislature reported the expected resolutions in support of the state government and in condemnation of the embargo laws. The following extract summarizes, in part, the attitude of the Connecticut law makers:

After solemn deliberation and advisement thereon, the general assembly are decided in the opinion, and do resolve, that the acts aforesaid are a permanent system of measures, abandoning undeniable rights; interdicting the exercise of constitutional privileges, and unprecedented in the annals of nations; and do contain provisions for exercising arbitrary powers, grievous to the good people of this state, dangerous to their common liberties, incompatible with the constitution of the United States, and encroaching upon the immunities of this state.<sup>59</sup>

The resolutions of the Delaware House failed of adoption because the Senate refused to agree without modification. These proposed changes the House refused to accept; hence the matter was dropped. Rhode Island, apparently the last state to attack the embargo, passed resolutions against it in both houses on March 4, 1809, but by the close vote of 7 to 4 in the upper house and 35 to 28 in the lower.<sup>60</sup>

Outside of New England, Delaware, and New York, these resolutions excited little sympathy. In fact, a resolution of Massachusetts proposing to amend the United States Constitution so that no embargo could suspend commerce for more than thirty days after the opening of the season of Congress succeeding the one passing it was expressly disapproved by nearly all the states during 1809 and 1810, including North Carolina,

<sup>58</sup> *Ibid.*, p. 176.

<sup>59</sup> *Ibid.*, p. 180.

<sup>60</sup> Ames, H. V., *State Documents on Federal Relations*. This is a University of Pennsylvania study and gives excellent source material on embargo relations, pp. 26-44.

Maryland, Georgia, New Jersey, Delaware, and New Hampshire.<sup>61</sup>

North Carolina represented the typical attitude south of New York. Even before the strong action of Connecticut and Massachusetts, the Senate of North Carolina, November 29, 1808, approved the measures of the national government, though apparently this approval was not formally voiced until December 5. The preamble to the act expressed fear that the "great clamor" against some of the government acts might cause foreign nations to think that the United States was divided. Three of the seven resolutions, the fourth, fifth, and sixth, related specifically to the embargo. The fourth and sixth read:

Resolved, That, though the laws laying an embargo have borne hard upon a great part of the citizens of the United States, the Legislature of North Carolina consider them as the best means which could have been devised to preserve our citizens and property from the devouring grasp of the belligerent powers. \* \* \*

Resolved, That sooner than submit to unjust and vexatious restrictions on our commerce; to the impressment of our seamen; and to the taxation of the cargoes of our vessels, at the pleasure of foreign nations, we will live to ourselves, and have no connexion with any of them.<sup>62</sup>

Even in New England there was some support for Jefferson's administration. Thus the New Hampshire House voted: "In reviewing the measures of the national administration, we *remain* satisfied that they are the result of wise deliberations. The embargo laws, especially we consider as a wise expedient which has saved the country an immense property; and thousands of citizens." The Senate, which, by the way, was composed of nine Republican and three Federal members, voted stronger approval: "We cannot but think that the finger of Heaven pointed out the Embargo, as the only measure Congress could devise, which could comport with the safety, honor and independence of our country."<sup>63</sup>

The West generally supported the administration. Thus the General Assembly of Kentucky with one dissenting vote in the

61 *Pennsylvania Archives*, Fourth Series, Vol. IV, *Papers of the Governors*, 1795-1817, pp. 690-740.

62 *American State Papers*, Class X, *Miscellaneous*, Vol. I, pp. 944, 945.

63 *National Intelligencer*, December 12, 1808.

House and three in the Senate adopted resolutions of support and endorsement.<sup>64</sup>

The Virginia resolutions of February 7, 1809, in referring to the expediency of the embargo said:

If it has failed, in any degree, as a measure of constraint, your committee believe that it is not because our enemies have not felt its force, but because they believe we have felt it too sensibly; because the unfortunate opposition which the measure has met in some parts of the union, has inspired them with a fallacious hope that we ourselves either could not or would not bear its privations.<sup>65</sup>

Opposition to the embargo was carried to the extent of threats of disunion. On March 10, 1808, Christopher Gore wrote to Rufus King that a frequently discussed question was whether the states east of the Delaware would not combine in an effort to prevent war with Great Britain. Another question considered, he said, was the calling of a convention of merchants to deliberate on their embarrassments in consequence of the embargo.<sup>66</sup>

For some time John Quincy Adams had expressed a fear that civil war might result from the embargo.<sup>67</sup> On December 8, he wrote to Orchard Cook that a continuance of the embargo might mean a civil war, which was more dangerous than a foreign war.<sup>68</sup> This change in Adams' feelings was very pronounced, for on August 22, he had written Cook that the embargo though "beyond all question a distressing calamity" to the country, was, in comparison with war either with England or France, as "no more than the bite of a flea to the bite of a rattlesnake."<sup>69</sup>

On December 15, 1808, H. G. Otis wrote to Josiah Quincy, and gave an early reference to a Hartford convention:

"...What then shall we do? In other words, what can Connecticut do? For we can and will come up to her tone. Is she ready to declare the Embargo and its supplementary chains unconstitutional,—to propose to their State the appointment of delegates to meet those from the other commercial States in convention at Hartford or elsewhere, for the purpose

<sup>64</sup> *Ibid.*, January 23, 1809.

<sup>65</sup> Ames, H. V. *State Documents on Federal Relations*, p. 431.

<sup>66</sup> *Life and Correspondence of Rufus King*, Vol. V, p. 88.

<sup>67</sup> See his letters to Orchard Cook, August 22, 1808, to William Branch Giles, November 15, and to Ezekiel Bacon, November 17, in *Writings*, Vol. III, pp. 240-251.

<sup>68</sup> *Ibid.*, pp. 260-262.

<sup>69</sup> *Ibid.*, p. 240.



of providing some mode of relief that may not be *inconsistent with the union of these States*, to which we should adhere as long as possible? Shall New York be invited to join? and what shall be the proposed objects of such a convention?"<sup>70</sup>

On November 30, Sir George Prevost addressed thirty-six questions to his agent, John Howe. The seventeenth referred to the political situation in New England. The agent in answering it declared that if the English government did not let the United States out of their own trap, "not a doubt" could "be entertained but that a separation of the Eastern States" would ensue unless the embargo were repealed. If the English answer did not suit, Howe held, the Republicans would try to provoke a war with England to save the union.<sup>71</sup>

On January 3, 1809, President-elect Madison, a calm and trained observer, said that the impatience under the embargo, especially in Massachusetts, was becoming "extremely acute" under the artificial excitements given to it, and that a preference for war within a very limited period was "everywhere gaining ground."<sup>72</sup>

President Dwight of Yale College about the same time preached on the text "Come out therefore from among them, and be ye separate, saith the Lord."<sup>73</sup>

Newspapers had long been commenting on the danger of separation. A Boston paper declared on April 1, 1808:

The citizens of Massachusetts are now called upon, not to endure the evils accidentally resulting from a system of conduct suggested by a watchful solicitude for the general prosperity, but to approbate a course of policy, consistent with our present democratic administration, which threatens the republic with all the horrors of a war, which has already diffused distress over the whole country by a ruinous *Embargo*, and which seems to meditate a total annihilation of commerce. If we rise up, to a man, and express our detestation of these measures, we may escape the misery that is yet in reserve. But if we reelect those officers who have thanked Congress for the Embargo, we may rest assured, the Embargo will be continued, till we are heartily sick of it. It is surely a *strong* measure. It

<sup>70</sup> *Life of Josiah Quincy of Mass.*, by his son Edmund Quincy, p. 165.

<sup>71</sup> "Secret Reports of John Howe," *American Historical Review*, Vol. XVII, p. 349.

<sup>72</sup> *Writings of James Madison*, Vol. VIII, p. 42.

<sup>73</sup> Morison, S. E., *Harrison Gray Otis*, Vol. II, p. 8.

is strong as death, and voracious as the grave. If we do not cure the disease in its early stage, it may require a desperate remedy.<sup>74</sup>

The *Republican Crisis*, a New York paper, in an inflammatory article, compared conditions in Jefferson's administration with conditions in former times. It said, in part:

We are now (shame to its coward authors!) in spirit and in measure, sunk below contempt—Then, the nation which dared insult or injure us, 'though oceans rolled between,' *felt* our remonstrance and rendered justice.—Now, to shun the *occasion*, we are compelled by our wonderful administration, to abandon the ocean, and to break off all commerce with the rest of the world; like a spiritless, contemptible *spaniel* yelping his own disgrace as he seeks for safety in the *dignified retirement* of his kennel.—Genius of America! Whither art thou fled!

Tell me not that the *Embargo*, and the Non-Intercourse system are measures of wisdom or necessity—for they are neither—ask the *merchants*, (whose interests are most affected,) whether they thank the President for saving their property by the Embargo!—with united voice they will exclaim No—Ask the Farmers of this fruitful land, if they will fall down and worship this great Idol, the Embargo, for *their* share of untold blessings!—with imprecations they curse the measure, or point, in sullen silence, to the wretchedness and woe which it has brought upon them. Ask the honest, the industrious Mechanick to recount the *mighty comforts* which Mr. Jefferson's Embargo has scattered in his path? he tells you, he is out of employ—his wife and children dearer to him than life, are pinched with hunger and he, wretched man! must be dragged to prison the next hour!!! O, blessed Embargo! "more popular than any other measure taken by the republican administration," says the *National Intelligencer*, the Presidential Bagpipe at Washington—"Encore," cries that faithful echo, the *Albany Register*, "the Embargo is proved to be more popular than any other measure taken by the republican administration!!!"

People of America! how long will ye suffer such gross indignities to your understanding! Such mad violations of your rights and interests!<sup>75</sup>

A writer, using the pen name of Phocion published a strong article in *Jackson's Political Register*. Two short paragraphs follow:

From Maine to Orleans, the merchant, the farmer, the mechanick and the labourer, are suffering the pressure of want that some few high in office may preserve the favor of their trans-atlantick master. . .

How long, Americans, will you suffer this? How long shall your country be debased and degraded in the eyes of Europe—the very name of America be a term of reproach? I feel that you will not endure it longer.

<sup>74</sup> Boston *Gazette*, April 1, 1808.

<sup>75</sup> Quoted in Boston *Reperetory*, May 31, 1808.

The day of retribution is at hand, and your betrayers will soon find to their sorrow, that the American spirit has only slumbered, but is not yet extinguished. It will rise with renewed vigor, and overwhelm them with shame and disgrace.<sup>76</sup>

Administration papers freely admitted the growing opposition to the embargo and the threats of disunion. One of these on October 13, published a department known as "Bold Language" which contained extracts taken from late Federal Papers. Several follow:

Every man will presume that he is not bound to regard it [the embargo], but may send his produce or his merchandise to a foreign market, *in the same manner as if the government had never undertaken to prohibit it*—Boston Centinel.

*We know that if the Embargo be not removed our citizens will ere long set its restrictions and its penalties at defiance.*—No Republican government can constitutionally ruin its citizens, charged with no crime. This will remove scruples of conscience, *and the people will trade.*—Boston Reperetory.

It behooves us to speak, for Strike we Must, if speaking does not answer—Boston Reperetory.

*There are thousands every day denouncing the claims made upon that nation (the English) as unjust and unreasonable, and openly declaring that it is our true policy to rescind those claims, take protection under the British navy, and unite with her against the the Emperor of France*—New York Herald.

It is better to suffer the amputation of a limb than to lose the whole body. *We must prepare for the operation.*—Boston Gazette.<sup>77</sup>

Five articles, signed "Falkland," discussed "A Separation of the states; and its Consequences to New England."<sup>78</sup> A Richmond paper, a supporter of the administration, accused the Federalists of wanting a separation of the union.<sup>79</sup> A Newburyport circular, widely copied by administration papers, concluded:

The day of political probation is fast verging to a close; when the fate of America will be decided, and the laurels bought with the price of free-men's blood, will grace the brows of the Gallic tyrant. Let every man who holds the name of America dear to him, stretch forth his hands and

<sup>76</sup> Quoted in Boston Reperetory, June 3, 1808. See also Connecticut Courant, June 29, 1808.

<sup>77</sup> Quoted in Newburyport Statesman, October 13, 1808.

<sup>78</sup> Boston Columbian Centinel, September 10, 14, 17, 24 and October 1, 1808.

<sup>79</sup> Richmond Enquirer, November 1, 1808.

put this accursed thing, this *Embargo* from him. Be resolute, act like sons of liberty, of God, and your country; nerve your arm with vengeance against the Despot who would wrest the inestimable germ of your independence from you—and you shall be *Conquerors!!!*—And all the People shall say Amen.<sup>80</sup>

One of the radical Boston papers published the following item in January:

*Americans!*

*Your dearest Rights and Liberties are in jeopardy. The Decree of Slavery has been issued; and Fifty Thousand mercenaries are to be embodied to execute an odious Embargo Law at the point of the bayonet.*

*Americans!*

A venal faction—the slaves and apologists of the bloody Tyrant of *Europe*—have the folly to attempt riveting on you the galling fetters of Slavery. Will you tamely submit to this yoke? No! Act then with firmness and moderation. Leave vamping and bullying to your adversaries.—Ascertain your Rights; and defend them as becomes men who know their privileges, and will never shrink from their duties.<sup>81</sup>

An editorial, “Government! Or Rebellion” in an administration newspaper declared a few days later:

When the standard of rebellion shall be unfurled in the North, and a British commissioner, like Lord Hutchinson, shall be landed on our shores, to see the rebel troops in the field, and to distribute the subsidy of cash, then the whole mystery of federal mercantile opposition, and British intrigue, will be unravelled.<sup>82</sup>

A Danville, Vermont, paper a few days later declared:

Seeds of Insurrection!

Till this period we had not entertained any serious fears of a rebellion against the laws of our country—but we are constrained now to state with much concern that the prospects of such an event are truly alarming. Several of the eastern federal prints have published the late act for enforcing the Embargo, (which will appear in our next) with their papers dressed in mourning, and have annexed to that Law the funeral obsequies of Liberty in regular procession!! Subjects of such importance and solemnity are not to be trifled with. For Heaven’s sake let us pause, and consider the calamities of civil war. . .<sup>83</sup>

In support of this view the editor then quoted from the Boston *Courier* and the Northampton *Anti-Monarchist*, the former de-

<sup>80</sup> Baltimore *Evening Post*, December 1, 1808.

<sup>81</sup> Boston *Columbian Centinel*, January 21, 1809.

<sup>82</sup> Northampton *Anti-Monarchist and Republican Watchman*, January 25, 1809.

<sup>83</sup> North *Star*, January 28, 1809.

claring: "There appears to be a preconcerted plan among the federalists in this section of the union, to effect open rebellion against the general government. . ."; and the latter stating:

There is a prospect that New England will become a theatre of hostile operations against the government of the United States, and the integrity of the Union. . .

This project, foul, abominable, and murderous as it is, is now agitated in federal caucuses. It has become the topic of common conversation with leading federal men.<sup>84</sup>

A month later a Boston paper urged: "Americans! Arouse from your lethargy. Act like men for your country; and swear that that country shall never be the '*Slave*' which Washington declares it must be, if men with *inveterate* antipathies against one nation, and '*passionate attachments*' for another, are permitted to guide your councils."<sup>84</sup> The next day another Boston paper, this time an administration paper, made the following statement: "A handbill, circulating in Connecticut, recommends a connection between the New England States, Canada and Nova Scotia, *for the protection of commerce!*"<sup>85</sup>

Possibly one of the most insulting and threatening of the town resolutions, those of Gloucester, appeared in a Boston paper of February 24, 1809. The words, in part, follow:

"We see not only the purse-strings of our nation in the hands of a Frenchified Genevean, but all our naval forces and all our militia placed under the control of this same foreigner, whom we cannot but think a satellite of Bonaparte. . . In our opinion the national Cabinet has given to this country and the world the most indubitable evidence of their insincerity; that their great study has been to involve this country in a war with Great Britain, and of course to form a coalition with France, regardless of consequences. Their pledges to France of their willingness to submit to the wishes or mandates of the Corsican have been satisfactory. . . We should deprecate a separation of the States and would resort to every honorable means of redress before we would seek relief in a dissolution of the Union. . . Our Administration can dissemble their real motives no longer; our dreadful forebodings prove realities; the expected blow has reached us, and by it has fled our liberty."<sup>86</sup>

The attitude of the people, of course, was reflected in the speeches of their representatives in Congress. These often con-

<sup>84</sup> Boston *Columbian Centinel*, February 22, 1809.

<sup>85</sup> *Independent Chronicle*, February 23, 1809.

<sup>86</sup> *New England Palladium*, February 24, 1809.



tained, as previously intimated, scarcely veiled threats of disunion. Debates waged bitter on the enforcement bill, and even more so after its passage. Only two of the Senate speeches in favor of the repeal of the embargo will be considered—one delivered by J. A. Bayard of Delaware, and the other by James Hillhouse of Connecticut.

The former, in the course of a lengthy discourse,<sup>87</sup> delivered February 14, 1809, on the partial repeal of the embargo, reviewed the orders and decrees of the belligerent nations, and re-stated the familiar objections to the embargo policy. In the course of his address he declared:

We all know that the opposition to the embargo in the Eastern states is not the opposition of a political party, or of a few discontented men, but the resistance of the people to a measure which they feel as oppressive and regard as ruinous. The people of this country are not to be governed by force, but by affection and confidence. It is for them we legislate; and if they do not like our laws, it is our duty to repeal them.<sup>88</sup>

A week later, February 21, Senator Hillhouse of Connecticut, in discussing non-intercourse, referred to the sufferings of the laborers due to the embargo.<sup>89</sup> He held that in spite of the disinclination of the people to seek relief at the poor house, hundreds of applications for admission at New Haven had been turned down, when, ordinarily, the poor house would accommodate three times the number of people in it. He maintained that such sufferings were common in all commercial towns. In Baltimore, he said, examiners found conditions "truly distressing to the feelings of humanity, both as to their numbers and their necessities." In Philadelphia, he urged, the Marine Society found "upward of one thousand objects of charity, who, from a state of comfort, have been reduced to the lowest abyss of poverty."

After Hillhouse had concluded, the vote was taken on the bill which was entitled, "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies, and for other purposes." The measure was passed 21 to 12. The negative votes were cast

<sup>87</sup> *Annals of Congress*, Vol. XIX, pp. 388-409.

<sup>88</sup> *Ibid.*, p. 403.

<sup>89</sup> *Ibid.*, pp. 424-436.

by Bayard and White of Delaware, Crawford of Georgia, Gilman and Parker of New Hampshire, Goodrich and Hillhouse of Connecticut, Lloyd and Pickering of Massachusetts, Reed of Maryland, Sumter of South Carolina, and Turner of North Carolina.<sup>90</sup> The majority of these men, it should be noted, were opponents of the embargo system.

In the House, on January 16, 1809, a bill for the relief of sick, disabled, and distressed seamen was read for the third time and passed by a vote of 66 to 30. Some speakers, as Burwell of Virginia, had on the 14, opposed the measure on the score that seamen were no more entitled to relief than other sufferers from the embargo.<sup>91</sup> In the Senate, the measure was amended and its consideration indefinitely postponed.<sup>92</sup>

On January 19, Nathaniel Macon of North Carolina admitted the bad effect of the embargo on the South, for southerners did not want produce left on their hands to rot. He insisted that the South was suffering for maritime rights, for as growers it was immaterial in point of interest into what ship or wagon their produce found its way. We are contending, he urged, for our mercantile brethren of the North.<sup>93</sup>

On January 30, the House took up in earnest the debate on the following resolution submitted by W. C. Nicholas of Virginia a few days previously:

Resolved, As the opinion of this House, that the United States ought not to delay beyond the.....day of.....to repeal the embargo laws, and to resume, maintain, and defend, the navigation of the high seas, against any nation, or nations, having in force edicts, orders, or decrees violating the lawful commerce and neutral rights of the United States.<sup>94</sup>

William Milnor of Pennsylvania made a motion to take the question first on repealing the embargo, and to fill the blank with "fourth day of March", but John Randolph of Roanoke wanted an immediate repeal. He declared that the embargo was daily and hourly disregarded, that sleighs passed from the

<sup>90</sup> *Ibid.*, p. 436.

<sup>91</sup> *Ibid.*, pp. 1073-1077.

<sup>92</sup> *Ibid.*, pp. 322-328.

<sup>93</sup> *Ibid.*, p. 1103.

<sup>94</sup> *Annals of Congress*, Vol. XIX, p. 1230.

United States into Canada loaded with the products of all parts of the Union.<sup>95</sup>

D. R. Williams of South Carolina, in the course of an impassioned speech on the same day, said:

The excitement in the East render it necessary that we should enforce the embargo with the bayonet or repeal it. I will repeal it—and I could weep over it more than over a lost child. . . Sir, if gentlemen will not support us in a war, and I give fair notice that if we take off the embargo I am for war—they must support it, or they will sink the character of the nation. If they will support neither war or embargo, if they destroy the effect of both, I ask you, sir, does not the prostitution of the character of the country lie at their doors? If they mean submission, I will thank them to say so. It somehow or other happens that Republicans are thought to be friendly to France, and Federalists to Great Britain. I believe neither imputation to be correct to the extent to which it is carried. But it is a fact that the British ear is open to that side of the question sooner than to us. Now, sir, I appeal to the minority, who hold the destinies of the nation in their grasp, for they can enforce embargo without the bayonet—I beg them, if they will not declare war, that they will do the best they can for their country. If avarice has so seized on our hearts as to take away wholly the love of country, (and assuredly it has if we submit) for God's sake let me entreat, gentlemen, to make the best terms they can for us, to secure the kind protection of the British Government for us—to procure us the miserable boon that the tax on us may be collected here without compelling us to go to Britain to pay it. Sir, the blood which runs through my veins tells me I was not born to be a British subject; it tells me that the opposition to us must have sucked the same milk—that we are of the same family. Then let us with one heart and hand take hold of war.<sup>96</sup>

On the next day, January 31, John Rhea of Tennessee urged that March 4, rather than June 1, be taken as the date for repeal. This, he declared, would give sufficient time to the merchants, help the farmers, allow the new administration to commence its career with “a new order of things,” and show the nations of the world that we did not intend to abandon the ocean permanently.<sup>97</sup> On the same day, J. W. Eppes of Virginia pointed out the present opposition of the United States—the insults shown by the belligerents to us and the failure of negotiations.<sup>97</sup>

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<sup>95</sup> *Ibid.*, p. 1230.

<sup>96</sup> *Ibid.*, pp. 1237, 1238.

<sup>97</sup> *Ibid.*, p. 1246.

On February 2, the repeal of the embargo was again taken up. The question was the filling of the blank with the first day of June, the fourth day of March, or the fifteenth day of February. Benjamin Tallmadge of Connecticut urged a speedy decision or repeal at an early date on the ground partly of speculation. Repeal, he urged, would cause an increase in the value of articles for export from ten to fifty per cent. Postponing repeal prolonged speculation.<sup>98</sup> On the same day, Henry Southard of New Jersey, in answer to the gloomy pictures drawn by embargo opponents,<sup>99</sup> exalted the beneficial effects on manufacturing. He said:

The seed is sown—the germ is already sprung. By means of the embargo we shall reap a permanent good. Many infant manufactories are already established throughout the country, and are rapidly progressing to perfection. Another great advantage will arise by inducing domestic industry. Families will provide themselves with the necessaries and conveniences of life, which heretofore they have produced at a great expense, and which manufactures he believed would render the country more independent of foreign nations than anything else which could be devised.<sup>100</sup>

On February 2, the House in Committee of the Whole refused by a vote of 73 to 40 to make the date of the embargo's repeal June 1.<sup>101</sup> For the next three weeks the repeal of the embargo and the adoption of non-intercourse occupied all the time of the House. No further record of speeches, however, will be given until February 20, save a brief reference to a comment of D. R. Williams of South Carolina, who, on February 17, stated that he was for war if the embargo was to be repealed, and that the people south of the Delaware were for war. "But you have been humbled," he added more courteously than many others had done, "into an acknowledgment of the truth of the declaration that you cannot be kicked into a war, because the Eastern people will not follow you."<sup>102</sup> On February 20, John Randolph of Roanoke, spoke against a vacillating policy. He said:

. . . The motion of the gentleman from Virginia [W. C. Nicholas]—and I beg you, sir, to recollect from whom it came, the influence of that gentle-

<sup>98</sup> *Ibid.*, p. 1268.

<sup>99</sup> *Ibid.*, pp. 1230, 1305, etc.

<sup>100</sup> *Ibid.*, p. 1307.

<sup>101</sup> *Ibid.*, p. 1328.

<sup>102</sup> *Ibid.*, p. 1450.

man, and his supposed acquaintance and high credit with the Administration—made the prices of commodities start in a night, like mushrooms; sales were made to a great amount; when, on a sudden, as if by the stroke of a torpedo, the proceedings of this House are benumbed. The Committee of the Whole, after the vote to repeal the embargo, is discharged, a recommitment takes place, and what is the result? The mercantile barometer not only went down, but did not stop at the point at which it was before, it fell even lower than ever. It now is fluctuating a little, but it is not up to the point at which it stood when the motion was originally made. Now, suppose a man in the secret, when that motion was made, had sold out, perhaps to the amount of half a million, at an advance of from 25 to 33 1-3 per cent; a few days afterwards he would be able to buy the same commodity at perhaps a price as much below par as he sold it above—making a difference of from 50 to 66 1-2 per cent. Should such gambling be encouraged? The people want to know what way we are going—whether North or South, East or West.<sup>103</sup>

On the same day, G. W. Campbell of Tennessee, spoke in opposition to the repeal of the embargo. In common with D. R. Williams of South Carolina he urged that substitution of non-intercourse for the embargo would relieve one part of the Union and impose the burden on another part. The embargo, he argued, operated equally on the various parts of the Union, but the non-intercourse would press hardest on the southern and western states which were largely dependent upon the immediate exchange of their products for foreign goods. This, he insisted, would throw the carrying trade to the eastern merchants without competition and would place a premium on eastern manufacturers at the expense of southern and western farmers, for since foreign goods were excluded, the eastern states could charge the others any price they wanted for manufactured goods, and those states would have to pay. "Hence," he said, "the non-intercourse would operate partially against the Southern and Western, and completely in favor of the Eastern States, and hence the most cogent reasons I have yet discovered why the Eastern gentlemen are almost to a man in favor of it."<sup>104</sup>

A little later, on the same day, Nathaniel Macon, favored the continuance of the embargo as the only alternative to war. He declared in part:

<sup>103</sup> *Ibid.*, pp. 1474, 1475.

<sup>104</sup> *Ibid.*, p. 1483. The statement just quoted on eastern support proved false.



It has been said, and great pains have been taken to establish the fact that the embargo bears harder upon the Eastern than upon the Southern country. The reverse appears to me to be the fact. Upon the towns it may bear harder than upon the country; but take the nation at large, and the embargo, if gentlemen persist in charging all our evils on the embargo, bears harder on the South than on the East. We lose the capital of the trade, whilst they lose but the profits to be made upon the export and import. Can the profits be equal to the capital? Certainly not.<sup>105</sup>

Immediately after the repeal of the embargo and in place of that measure the non-intercourse act was passed. It was entitled "An Act to interdict commercial intercourse between the United States and Great Britain and France, and for other purposes." It opened up trade with other nations, but as stated in the title prohibited trade with the main belligerents. Only the last section of the act, which was approved by Jefferson on March 1, 1809, will be quoted here:

*And be it further enacted*, That this act shall continue and be in force until the end of the next session of Congress, and no longer; and that the act laying an embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto, shall be, and the same were hereby repealed, from and after the end of the next session of Congress.<sup>106</sup>

The non-intercourse measure was passed by a vote of 81 to 40; nineteen members were absent when the vote was taken. Of the latter, five were from Massachusetts, three from Virginia, two each from Pennsylvania and South Carolina, and one each from New Hampshire, Connecticut, New York, Ohio, Tennessee, North Carolina, and Georgia. Williams of South Carolina and Campbell of Tennessee, both of whom had fought long and hard for the embargo, were among those absent. They in common with others probably, for all did not have legitimate reasons, hated to see the death of a favorite child. Of the forty votes cast in opposition to the non-intercourse act, six each came from Connecticut and Pennsylvania, five from Virginia, four each from Massachusetts and North Carolina, three from New York, two each from Vermont, South Carolina, and Georgia, and one apiece from New Hampshire, Rhode Island, New Jersey, Dela-

<sup>105</sup> *Ibid.*, p. 1490.

<sup>106</sup> *Ibid.*, p. 1830.

ware, Maryland, and Kentucky.<sup>107</sup> It is thus apparant that sentiment was divided. Many Southerners opposed the non-intercourse; others favored it in an effort to retain as much of the embargo policy as possible. As in the Senate, many strong opponents of the embargo, such as Dana and Tallmadge of Connecticut, Gardenier of New York, Quincy of Massachusetts, and others voted against the non-intercourse act, since they considered a partial repeal only as a compromise which was in reality a triumph for the administration.

Federalist newspapers did not regard the repeal of the embargo with unmixed satisfaction, for non-intercourse was substituted. An item in a Boston paper of March 8, 1809, written, however, before the repeal, read:

The miserable Embargo system is to be partially repealed on Wednesday next; although it is to be accompanied and coupled with a measure equally as unjust, equally as foolish, stupid and unavailing, as the original Embargo; and which its insane authors will be compelled to abandon with the same mark of folly, the same portion of disgrace and derision; which has attached to their Embargo conduct. Commiseration with our suffering fellow countrymen in various parts of the community; and hoping that this measure of repeal; partial as it is, will operate to remove a part of the oppressive burdens which have near crushed them, we thank heaven for even this scanty boon. . .<sup>108</sup>

Another Boston paper, dated two days later, condemned the non-intercourse act as a "deceptive and wicked law."<sup>109</sup> A New York paper on the following day opposed the non-intercourse bill as the "most contemptible piece of knavery" ever passed by any administration and intended to bring war with Great Britain.<sup>110</sup> A Connecticut paper declared four days later: "Our weak and wicked administration were so frightened by the Legislatures of Connecticut and Massachusetts, that they have relinquished the embargo and substituted non-intercourse. Do these poltroons suppose that the people will not discover their folly and cowardice?"<sup>111</sup>

Another New England paper declared a week later:

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<sup>107</sup> *Ibid.*, p. 1541.

<sup>108</sup> *Columbian Centinel*, March 8, 1809.

<sup>109</sup> *Reperetory*, March 10, 1809.

<sup>110</sup> *New York Herald*, March 11, 1809.

<sup>111</sup> *Connecticut Courant*, March 15, 1809.

The *Baltimore Whig*, one of the most furious of the Democratic papers, speaking of the late session of Congress says, '*The contradictory measures of this session defy all national investigation; they are too childish to be ridiculed, and too trifling to be despised.*' This is too true; in addition to all the other evils of the Embargo, it has cost the country near 200,000 dollars to pay the members of Congress for debating upon, and wrangling about it. . .<sup>112</sup>

The same paper, after commenting on the provisions of the non-intercourse bill, declared: "Such are the leading features of this odious law; which cannot be called a repeal of the embargo, but a mere *take in* of the public; for of all the important places in the windward or leeward Islands, St. Bartholomew only is open to us."<sup>113</sup>

A different view of the matter was taken in an article in a Baltimore paper of earlier date. This article insisted that while trade was prohibited with France, the part of Italy under Napoleon's control, the British Isles, and Gibraltar it was open in Russia, Sweden, Denmark, Prussia, Turkey, Germany, the Hanse Towns, Holland, Spain, Portugal, Sicily, and all other parts of the world "*not subject to or in possession of Great Britain or France.*"<sup>114</sup>

Another administration paper published in Newburyport, Massachusetts, charged the Federalists with inconsistency. One item read:

Every day gives further proof that the only principle of action with the leading federalists of the day, is *opposition to whatever course our government may pursue*. Their objection now is, that the embargo is about to be taken off in wrath to punish the eastern states by the vexation and loss which will attend whatever may be risked on the high seas.<sup>115</sup>

A Vermont paper repeated the charge: "... The federalists, who have continually clamored against the continuance of the embargo, invariably voted against its repeal in both houses. What kind of *consistency* is this?"<sup>116</sup>

Josiah Quincy, who believed the partial repeal a Jeffersonian victory, wrote to a friend on February 29, two days after the

<sup>112</sup> *Massachusetts Spy, or Worcester Gazette*, March 22, 1809.

<sup>113</sup> *Ibid.*, March 22, 1809.

<sup>114</sup> *Baltimore Evening Post*, March 8, 1809.

<sup>115</sup> *Statesman*, March 9, 1809.

<sup>116</sup> *Danville North Star*, March 18, 1809.

repeal: "Jefferson has triumphed. His intrigues have prevailed, Non-Intercourse will be substituted for Embargo. The Non-Intercourse bill passed 81 ayes, 40 nays, all the Federalists voting against the bill, except Taggart and Livermore."<sup>117</sup>

The view just quoted from Quincy, however, was incorrect. The embargo was repealed to avoid civil war. Jefferson gave in only as a sort of necessary compromise. A party revolt was inaugurated by Joseph Story and Ezekiel Bacon. Numerous quotations showing the danger of a civil war have already been given; a few more will now be cited. On January 4, 1809, Joseph Story wrote to a friend that the "Essex junto" had resolved to separate the eastern states from the Union, and if the embargo continued the plan might be supported by the yeomanry.<sup>118</sup> On January 24, William Plumer wrote to Nicholas Gilman, a New Jersey senator, that there appeared to be a spirit hostile to the existence of our government in New England, "and even in New York," and that people were now conversing on the dissolution of the union, as an event rather to be desired than avoided.<sup>119</sup>

When Jefferson was a very old man, W. B. Giles, a Virginia senator and administration leader at the time of the embargo, wrote him concerning the repeal, and his own intervention between the president and John Quincy Adams. Jefferson in his reply referred to his poor memory and his failure to recall the intervention, and then passed on to Adams' visit, his apologies, and remarks. He said, in part:

He [Adams] spoke then of the dissatisfaction of the eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it. That there was nothing which might not be attempted to rid themselves of it. That he had information of the most unquestionable certainty, that certain citizens of the eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint and interruption by the

<sup>117</sup> *Life of Josiah Quincy*, by his son Edmund Quincy, pp. 185, 186.

<sup>118</sup> Plumer, William, *Life of William Plumer*, p. 369.

<sup>119</sup> *Ibid.*, p. 368.

British; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties; and, at the close of the war be at liberty to rejoin the confederacy. He assured me that there was eminent danger that the convention would take place; that the temptations were such as might debauch many from their fidelity to the Union; and that, to enable its friends to make head against it, the repeal of the embargo was absolutely necessary. I expressed a just sense of the merit of this information, and of the importance of the disclosure to the safety and even the salvation of our country; and however reluctantly I was to abandon the measure, (a measure which persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely) from that moment, and influenced by that information, I saw the necessity of abandoning it, and instead of effecting our purposes by this peaceful weapon, we must fight it out, or break the Union. I then recommended to yield to the necessity of a repeal of the embargo and to endeavor to supply its place by the best substitute in which they could procure a general concurrence.<sup>120</sup>

Joseph Story also gave an account of the repeal which shows that Jefferson held out for the embargo as long as possible. Story declared in a letter to Edward Everett:

The whole influence of the Administration was directly brought to bear upon Mr. Ezekiel Bacon and myself to seduce us from what we considered a great duty to our country, and especially to New England. We were scolded, privately consulted, and argued with by the Administration and its friends on that occasion. I knew at the time that Mr. Jefferson had no ulterior measure in view, and was determined on protracting the embargo for an indefinite period, even for years. I was well satisfied that such a course would not and could not be borne by New England, and would bring on a direct rebellion. It would be ruin to the whole country. Yet Mr. Jefferson, with his usual visionary obstinacy, was determined to maintain it; and the New England Republicans were to be made the instruments. Mr. Bacon and myself resisted; and measures were concerted by us with the aid of Pennsylvania to compel him to abandon his mad scheme. For this he never forgave me.<sup>121</sup>

One other quotation in support of the view that Jefferson's hand was forced in the repeal of the embargo will be given. It was written by Jefferson himself to Henry Dearborn, not years afterwards when his memory was dulled, but on July 16, 1810, when the events were comparatively fresh in his mind. He said:

The Federalists, during their short-lived ascendancy, have nevertheless by forcing us from the embargo, inflicted a wound on our interests which

<sup>120</sup> Jefferson, *Writings*, Vol. X, pp. 353, 354.

<sup>121</sup> Story W. W. *Life and Letters of Joseph Story*, Vol. I, p. 187.



can never be cured, and on our affections which will require time to cicatrize. I ascribe all this to one pseudo-republican, Story. He came on (in place of Crownenshield I believe) and staid only a few days, long enough, however, to get complete hold of Bacon, who giving in to his representations, became panick struck, and communicated his panick to his colleagues and they to a majority of the sound members of Congress. They believed in the alternative of repeal or civil war, and produced the fatal measure of repeal. This is the immediate parent of all our present evils, and has reduced us to a low standing in the eyes of the world.<sup>122</sup>

The administration, it may be stated by way of brief summary of this and the preceding chapter, backed by its friends, sought to develop opinion in support of the embargo system by favorable newspaper accounts, by exalting the beneficial effect on manufactures and the saving of property, by lightening the operation of the embargo through permits granted to influential men, to trade under certain restrictions, and by town and state resolutions favorable to Jefferson and the embargo system.

As time passed, however, opinion steadily developed against the restrictive laws. Newspapers skillfully fanned the flame of opposition. Sailors, fishermen, and other sufferers held meetings and prepared petitions. Smuggling developed into armed opposition and public opinion supported the law violations. Increasing numbers declared the embargo unconstitutional. Federalist votes increased. Catchy poems, songs, and catechisms strengthened opposition. Town meetings condemned the measure in harshest terms. Newspapers advised resistance. Governors refused to enforce the law. Threats of disunion came thick and fast from New England. Jefferson, in order to prevent civil war, reluctantly gave in, and the non-intercourse act was substituted for the embargo, for he himself said in a longer quotation previously given: "I saw the necessity of abandoning it, and instead of effecting our purposes by this peaceful weapon, we must fight it out, or break the union."<sup>123</sup>

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<sup>122</sup> *Writings of Thomas Jefferson*, Vol. IX, p. 277. Quoted in part in Story, W. W., *Life and Letters of Joseph Story*, Vol. I, p. 186.

<sup>123</sup> Jefferson, *Writings*, Vol. X, p. 354.

## CHAPTER VII

### EFFECT OF THE EMBARGO ON MANUFACTURES

One of the common arguments used by the friends of the embargo was that it would help develop manufactures. The following item is typical:

It is not denied that an embargo imposes on us privations. But what are these compared with its effects on those who have driven us into the measure? —We shall be deprived of market for our superfluities. They will feel the want of necessities. The profits of our labour will be dis-[ex]tinguished. The supplies that *feed* theirs will fail.

An embargo will not be without advantages, separate from the immediate purpose it is to answer. It forces frugality in the use of things, depending on habit alone for the gratification they yield. It fosters applications of labor which contributes to our internal sufficiency for our wants. It will extend those household manufactures, which are particularly adapted to the present stage of our society. And it favors the introduction of particular branches of others, highly important in their nature, which will proceed of themselves when once put into motion, and moreover by attracting from abroad hands suitable for the service, will take the fewer from the cultivation of our soil<sup>1</sup>

References have already been made to the beneficial effect in the Congressional debates, but a few other instances will be given now and the subject will be considered in more detail. A House report brought in by Thomas Newton, January 11, 1808, against a Philadelphia petition for modifications of the embargo pointed out some expected benefits in the development of new and unexpected treasures. According to the report, England would be unable to get her raw materials any longer from the United States, and of course the United States would seek to use her own products as much as possible. The result would naturally be favorable to the development of our own manufactures.<sup>2</sup>

One of the friends of the embargo introduced on April 25,

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<sup>1</sup> Northampton *Republican Spy*, January 13, 1808.

<sup>2</sup> *Annals of Congress*, Vol. XVII, p. 1387.

the following resolution in the House: “*Resolved*, That the members of the House of Representatives will appear at their next meeting clothed in the manufactures of their own country.”<sup>3</sup> A small storm at once occurred. Nathaniel Macon of North Carolina, a warm friend of the embargo, said that the resolution could not be enforced. If intended as a pledge, he declared, he was unwilling to give it; if to be enforced, he denied the authority of Congress.<sup>4</sup> John Rhea of Tennessee declared that he would dress in any clothing he chose, the “resolution to the contrary notwithstanding.”<sup>5</sup> John W. Eppes of Virginia, son-in-law of Jefferson, admitted that the resolution could not be enforced, but expressed a wish that not only every man in the House, but every man in the nation could dress in home manufactures. He contended that “the proposition was a valuable one, and he wished to God that the ladies could be placed in a situation to adopt a similar resolution.” Eppes declared that if he were to appear in clothing manufactured in his own state, he would wear homely garb, but if the resolution passed, he would have cloth manufactured in his own family before the next fall. He estimated that a million men wore broadcloth coats in the United States and that if all were made here an immense saving would be effected.<sup>6</sup>

Macon was again on his feet. He said that it was not fair that single men, like himself, “who had no wives at home to make them coats, should not only be reproached for their misfortune, but pointed at as sinners.” He declared that he had just bought himself a suit, but that he could not get one of American manufacture. In fact, he argued, that a hat obtained for him by his friend Nelson of Maryland “was all that he could obtain of American manufacture.” He insisted that Eppes could not persuade a single lady in the nation to agree to the resolution.<sup>7</sup> The mover of the resolution, W. B. Bibb of Georgia, however, must have seen that the sentiment was decidedly against him; consequently, after saying that he had hoped his

<sup>3</sup> *Ibid.*, Vol. XVIII, p. 2283.

<sup>4</sup> *Ibid.*, p. 2283.

<sup>5</sup> *Ibid.*, p. 2283.

<sup>6</sup> *Ibid.*, pp. 2283, 2284.

<sup>7</sup> *Ibid.*, p. 2284.

motion would be unanimously adopted and that he did not want to provoke debate, he withdrew it.<sup>8</sup>

On November 24, W. B. Giles of Virginia declared in the Senate, while opposing the repeal of the embargo, that manufactures were improving as a result of that measure. He said: "I rejoice, indeed, to see our infant manufactures growing into importance, and that the most successful experiment has attended every attempt at improvement."<sup>9</sup> Other friends of the embargo likewise emphasized this point. Some of the opponents of the embargo were willing to admit a stimulus to manufactures, but they of course contended that the evil far outweighed any good.<sup>10</sup> Moreover, they usually pronounced, as did Josiah Masters of New York, the effort to make the United States a manufacturing nation a visionary one.<sup>11</sup>

John Howe, in one of his letters to Sir George Prevost, probably written in the fall of 1808, ridiculed the idea of the United States becoming a manufacturing country. He declared that twice as much could be made by exporting raw materials, for two-thirds of the land was yet uncultivated and a common laborer earned from one dollar to a dollar and fifty cents per day.<sup>12</sup> Later, in answering one of Prevost's questions he referred to increasing manufactures of munitions of war.<sup>13</sup>

At the opposite extreme from Masters and Howe stood enthusiastic and prosperous manufacturers. One of these, before the embargo had been in effect six months, wrote from Baltimore to Savannah: "Instead of receiving Cotton Goods from England, we may supply that country. It will be wise for the manufacturers to come in time to this country. This is a just enthusiasm, and promises good to our country."<sup>14</sup>

Albert Gallatin in his famous report on manufactures in 1809 declared that the interference of belligerent powers with neutral trade "by forcing industry and capital into other channels" had

<sup>8</sup> *Ibid.*, p. 2284.

<sup>9</sup> *Ibid.*, Vol. XIX, p. 102.

<sup>10</sup> *Ibid.*, pp. 445, 446.

<sup>11</sup> *Ibid.*, p. 610.

<sup>12</sup> "Secret Reports of John Howe," *American Historical Review*, Vol. XVII, p. 334.

<sup>13</sup> *Ibid.*, pp. 353, 354.

<sup>14</sup> *Virginia Argus*, May 24, 1808.

“broken inveterate habits, and given a general impulse to which must be ascribed the general increase of manufacture during the two last years.”<sup>15</sup>

On November 29, 1809, Madison, former Secretary of State for Jefferson, who had been inaugurated as president, clothed in the first inaugural suit of American broadcloth, observed in his first annual message:

In a cultivation of the materials and the extension of useful manufactures, more especially in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies. Nor is it unworthy of reflection that this revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary edicts by which contending nations, in endeavoring each of them to obstruct our trade with the other, have so far abridged our means of procuring the productions and manufactures of which our own are now taking the place.<sup>16</sup>

Madison again referred to the extension of useful manufactures and the substitution of domestic for foreign supplies in his message of December 5, 1810, as a cause for satisfaction, and “of itself more than a recompense for their privations and losses resulting from foreign injustice, which furnished the general impulse required for its accomplishments.” He even suggested to Congress that it might be worth while to guard the rising manufactures by a commercial tariff.<sup>17</sup>

Madison, moreover, talked to callers on the subject of manufactures. Thus on June 1, 1809 (?) he talked for an hour with an English traveller named John Melish. According to the latter, the president said that manufactures “had progressed in a wonderful degree, and went far to supply the internal demand, which was one great and permanent good that had risen out of a system fraught with many evils.” He declared that these manufactures were so firmly established that they would continue to increase, but that the increase of wealth and population was so great in the United States that, if trade were opened, “there would still be a very great demand for British manufacturers.”<sup>18</sup>

15 *American State Papers, Series Finance*, Vol. II, p. 427.

16 Bishop, J. L., *A History of American Manufactures*, Vol. II, p. 136, and Richardson, R., *Messages and Papers of the Presidents*, Vol. 1, p. 477. See also the *National Intelligencer*, March 6, 1809.

17 Richardson, R., *Messages and Papers of the Presidents*, Vol. I, pp. 484, 485.

18 Melish, John, *Travels*, p. 289.



Jefferson, of course, was more interested than anyone else in claiming all possible benefits for the embargo system; hence he referred repeatedly to the beneficial effects of the embargo on manufactures. For instance, November 8, 1808, in his eighth annual message, he said:

The situation into which we have thus been forced, has impelled us to apply a portion of our industry and capital to internal manufacture and improvements. The extent of this conversion is daily increasing, and little doubt remains that the establishments formed and forming will—under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and of protecting duties and prohibitions—become permanent.<sup>19</sup>

Many of the governors in their inaugurals or other speeches, referred to the development of manufactures as a result of restrictions on commerce, though, unlike Gallatin, Madison, and Jefferson, they did not, ordinarily give specific credit to the embargo. The governor of Pennsylvania, Simon Snyder, said, in his annual message of 1809:

It is also a cause of much satisfaction to observe that in proportion to the difficulty of access to, and commerce with, foreign nations, is the zeal and exertion to supply our wants by home manufactures. Our mills and furnaces are greatly multiplied; new beds of ore have been discovered, and the industry and enterprise of our citizens are turning them to the most useful purposes. Many new and highly valuable manufactories have been established, and we now make in Pennsylvania various articles of domestic use, for which two years since, we were wholly dependent upon foreign nations.

We have lately had established in Philadelphia large shot manufactories, floor cloth manufactories, and a queen's ware pottery upon an extensive scale. These are all in successful operation, independent of immense quantities of cotton and wool, flax and hemp, leather and iron, which are manufactured in our state, and which save our country the annual export of millions of dollars.<sup>20</sup>

Governor Stone of North Carolina spoke hopefully of the "advances already made, and hourly making" in the development of local manufactures.<sup>21</sup> Governor Irwin of Georgia declared:

Already a spirit of patriotism and enterprise has manifested itself

<sup>19</sup> Jefferson, *Writings*, Vol. IX, pp. 223, 224. For other expressions of opinion, see *ibid.*, pp. 226, 239.

<sup>20</sup> *Pennsylvania Archives, Papers of the Governors*, Vol. IV, pp. 1785-1817, 677. See also *Boston Gazette*, July 7, 1808.

<sup>21</sup> Bishop, *op. cit.*, Vol. II, p. 141.

generally, and our citizens, foreseeing the evils which must result from too great reliance on articles of foreign manufacture, are shaking off those fashionable fetters, which held them in a state of servile dependence upon other nations, and making every exertion to clothe themselves in fabrics of their own. Will you not second their efforts, and, by rendering all the aid in your power, give a spur to their laudable pursuits?<sup>22</sup>

Newspapers writers frequently commented on the development of manufactures in Georgia and the South generally. A significant item follows: "Home made cotton cloth, of a good quality, and a yard wide, is retailing in Savannah at half a dollar per yard. A few weeks ago one of the Georgia farmers sold there a thousand yards of his cloth, all manufactured in his own family."<sup>23</sup>

Foreign travellers, as well as native Americans, point out the development of American manufactures in 1808 and 1809. John Melish, an English merchant, travelled in the United States in 1806 and 1807, and again in 1809, 1810, and 1811. After referring to his wrecked mercantile business in Savannah, he described his journey north. He spent one night with a farmer who lived about half way between Sparta and Greensburg, Georgia. At the farmer's home, he found the family busily engaged in manufacturing. Some of the articles, he said, were "handsome" and all were good. This family reported that they supplied themselves and in addition sold a "considerable quantity of goods."<sup>24</sup> While still in Georgia, Melish described the effects of the commercial restrictions on manufactures as follows:

During this journey to the upper country, I made every inquiry that I could regarding the state of its commercial concerns, and I was satisfied that it had undergone a great revolution since I was in the country before. The staple commodity of the state is cotton, and it had so fallen in value as to cut off upwards of one-third of the income of the country. It followed that the inhabitants must curtail their expenditure in proportion. I accordingly found that all the people in the interior of the country were clothed in homespun. In almost every family a cotton manufactory was to be seen, and in some instances they had introduced spinning upon a pretty large scale, by jennies. At a parade of the militia, at Augusta, I was told that out of 500 men only two were to be found who had a single article of British manufacture about them. It had become fashion-

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<sup>22</sup> *Ibid.*, pp. 141, 142.

<sup>23</sup> *Baltimore Federal Republican and Commercial Gazette*, August 19, 1808.

<sup>24</sup> Melish, John, *Travels*, p. 263.

able everywhere to wear homespun; and from the very substantial stuff the people were making, and the agreeable employment it afforded to the young women of the country, I was convinced that this trade would increase, probably to nearly the total exclusion of British goods from the state. . .<sup>25</sup>

Very frequently in the course of his travels, Melish was led to refer to manufactures. At New York he was astonished to see the rapid progress of manufactures within the course of a few years.<sup>26</sup> Later, in describing conditions in Ohio, he referred in almost the identical words of Gallatin's report to the forced diversion within the last twenty years of American capital to other channels, the breaking of "inveterate habits" and the giving of "a general impulse, to which must be ascribed the great increase of manufactures during the last two years."<sup>27</sup> Again, in describing conditions in western New York, Melish wrote with more enthusiasm than judgment perhaps:

A new era has commenced in the United States. Britain is destined to be no longer the manufacturer for America; the seeds of manufactures are sown throughout the country, never to be rooted out; and, so far from the interior being dependent upon the cities as heretofore, the cities will, in all probability, become dependent upon it.<sup>28</sup>

D. B. Warden, a man of the period whose book entitled *Statistical, Political, and Historical Account of the United States* was published in Edinburgh in 1819, was impressed by the ingenuity of the Americans in encouraging the development of manufactures. He wrote:

Foreign artists and tradesmen were encouraged to settle in the country. The implements, tools, and even the furniture of emigrant mechanics, were made free of duty. In Pennsylvania such persons were admitted as freeholders on the day of their arrival, provided they declared their intentions of becoming citizens within the time prescribed by law. A knowledge of machinery, and processes for the saving of labour, were communicated, through the daily journals, to all descriptions of people. . . Mineralogy became an object of attention, and every district was ransacked for useful minerals. The skins of various animals, hitherto useless, were preserved and manufactured; and the farmers were induced by men of science to

<sup>25</sup> *Ibid.*, p. 267.

<sup>26</sup> *Ibid.*, p. 274.

<sup>27</sup> *Ibid.*, p. 438.

<sup>28</sup> *Ibid.*, pp. 534, 535.

direct their attention to the cultivation of native and exotic plants, which had been found useful in the arts or manufactures.<sup>29</sup>

In 1808, the manufactures of South Carolina were small, but while the privations of the embargo were becoming evident, Dr. Shecut published a series of strong addresses in the *Charleston City Gazette* in an effort to create a spirit favorable to domestic manufactures. The establishment of a South Carolina "Home-spun Society" was discussed. This society, with headquarters at Charleston, was to have a capital of \$150,000, divided into fifteen thousand shares of ten dollars each. One thousand of these shares were reserved for the legislature.<sup>30</sup> When, however, several public meetings had been held, and the company was finally organized, its capital apparently dwindled to thirty thousand dollars. The object of this company was the promotion of the manufacture of common domestic fabrics. Some ground was purchased, and the cornerstone of the manufacturing establishment was soon laid. A procession of over four thousand and a still larger audience took part in the celebration. An address of congratulation was delivered by William Lough-ton Smith. Approval and support of the measure were considered tests of patriotism.<sup>31</sup>

Similar action was general both north and south of Charleston. At Richmond, Virginia, W. H. Cabell, William Wirt, William Foushee Sr., Peyton Randolph, and Thomas Ritchie issued an address urging all Virginians to adopt such a system of domestic manufacture "as would render them independent of foreign nations."<sup>32</sup>

During the year 1808 the first flint glass manufactory was established in Pittsburgh by Messrs. Bakewells and Co., and a steam flouring mill was also built.<sup>33</sup> In Maryland the Union Manufacturing Company was incorporated with a capital of one million dollars. This capital was divided into twenty thousand

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29 Warden, D. B., *Statistical, Political, and Historical Account of the United States*, Vol. III, p. 263.

30 *National Intelligencer*, September 2, 1808.

31 Bishop, J. L., *A History of American Manufactures from 1608 to 1860*, Vol. II, pp. 129, 130. Bishop gives the most authoritative account of early American manufactures.

32 *Ibid.*, p. 130.

33 *Ibid.*, p. 131.

shares of fifty dollars each and was owned by over three hundred persons. The state itself owned two hundred shares. The object was to manufacture coarse cotton cloth on a large scale.<sup>34</sup> In Washington City a textile company with a capitalization of fifty thousand dollars was announced as in process of formation. This company expected to work up cotton, wool, hemp, and flax.<sup>35</sup>

Rhode Island and other New England states likewise felt the stimulating effect of the embargo on manufactures. Cotton manufactures increased rapidly. In 1808, in Rhode Island, the Potowomut Cotton Company was established at Warwick, a company at South Kingston, and another at Coventry. A Providence item concerning Rhode Island manufactures read:

The Cotton Factories likely to produce spun cotton by June next in this state, and chiefly within a few miles of this town are *thirty-four* in number; and they are expected to move in all about *twenty thousand spindles*. That is at least four times as many as have hitherto been in operation.<sup>36</sup>

A cotton mill was established at Rehoboth, Massachusetts, and still another at Sterling, Connecticut. The Pawtucket mill of Samuel Slater, however, was still the largest in the Union.<sup>37</sup> Concerning this mill a Providence letter declared: "The oldest water spinning factory in these states is at Pawtucket, about five miles from this town, it commenced in 1792, with *twenty-two spindles only*, it now moves about Nine Hundred, and is the largest mill in this country."<sup>38</sup> At Plainfield, New Jersey, the manufacture of hats began.<sup>39</sup>

A flourishing manufacture of a different type, directly resulting from the embargo, was carried on in northern New York. Potash had risen in value in Canada from one hundred to one hundred and twenty dollars per ton to three hundred dollars. The temptation afforded by this high price gave a great impulse to potash manufacture in northern New York. Practically the entire population of Essex County was busied in making

<sup>34</sup> *Ibid.*, p. 132.

<sup>35</sup> *Paulson's American Daily Advertiser*, July 30, 1808.

<sup>36</sup> *Relf's Philadelphia Gazette and Daily Advertiser*, March 11, 1808.

<sup>37</sup> Bishop, *op. cit.*, p. 131.

<sup>38</sup> *Relf's Philadelphia Gazette and Daily Advertiser*, March 11, 1808.

<sup>39</sup> Bishop, J. L. *op. cit.* p. 132.



and transporting potash to Montreal. This business continued until the outbreak of war in 1812.<sup>40</sup>

All manufactures, nevertheless, it must be admitted, did not prosper. Thus the Beverly factory, which was interested in the manufacture of bed ticking and was noted as the largest in the country even after the establishment of some Arkwright mills, was closed in 1807, "when the embargo shut up the shipping upon which Salem and Newburyport depended for prosperity, and a crisis swept over Essex County that closed industrial as well as mercantile establishments."<sup>41</sup> Those entirely dependent for a market on commerce naturally suffered as did those entering entirely into the process of ship construction. In 1808 the total tonnage of the vessels built was only 31,755, or about one-third that of the previous year. Because of the embargo shipbuilding was given up on the Ohio; only one schooner of one hundred tons, constructed at Marietta, was built during the year.<sup>42</sup>

In 1809, 1810, and thereafter for several years the stimulus to manufactures increased. Woolen goods were scarce and high because of the restrictions on trade; hence the public turned its attention to sheep husbandry and the domestic manufacture of wool. Messrs. Humphreys and Livingston had imported some merino sheep previous to the embargo, but the few full blooded descendants of those Spanish merino sheep soon rose in value to five hundred and even fifteen hundred dollars a piece. Merino wool rose from seventy-five cents to two dollars per pound. During 1809, however, William Jarvis of Weathersfield, Vermont, then serving as American consul at Lisbon, bought fourteen hundred of the crown flocks, which were sold at the order of the French government. He shipped these sheep to the United States. During the course of that year and the next, 1810, he sent to the United States over two thousand more pure merinos. These importations were encouraged by the payment of bounties. Thus a Pennsylvania law gave to the first person introducing a merino ram in any

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<sup>40</sup> *Ibid.*, p. 132.

<sup>41</sup> Clark, V. S., *History of Manufactures in the United States, 1607-1860*, pp. 534, 535.

<sup>42</sup> Bishop, J. L., *op. cit.*, pp. 130, 131.

county of the state fifty dollars.<sup>43</sup> Jarvis' importations, with those of other parties, in all about five thousand, soon reduced the price, scattered the breeds throughout the country, and of course stimulated woolen manufacture.<sup>44</sup> In support of this view we read such clippings as: "The Merino breed of sheep has become numerous in the neighborhood of Newcastle, (Del.)—We observe the names of twenty-eight gentlemen, who, on this account, forbid hunting on their enclosed grounds with dogs or guns."<sup>45</sup>

Every possible effort was made to encourage the use of home manufactures. Militia, judges, and legislators as well as executives frequently made their use a test of patriotism. Thus the Petersburg cavalry troop unanimously resolved to appear clad in homespun on the approaching anniversary of American independence.<sup>46</sup> The members of the South Carolina bar agreed to appear before the bar in full suits of domestic manufactures, changed, however from the regulation black to a dark gray.<sup>47</sup> Again, the members of the Ohio legislature, before adjourning, passed resolutions upholding the policy of the government and recommending that its members appear at the next session clothed in domestic manufactures.<sup>48</sup>

Another stimulus was the holding of public dinners or the extending of a vote of thanks, that is, public recognition. Thus, at Baltimore, those interested proposed the holding of a semi-annual dinner "to which every Manufacturer, Mechanic, or Artizan of good demeanor, shall be invited to partake of a dinner, be his Country, Politics or Religion what they may."<sup>49</sup> Besides enjoying public dinners and praise, Colonel David Humphreys received a vote of thanks from the Connecticut legislature for his work in introducing merino sheep.<sup>50</sup>

Very frequently also, premiums were offered for the best

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<sup>43</sup> *Paulson's American Daily Advertiser*, August 9, 1808.

<sup>44</sup> Bishop, *op. cit.*, pp. 134, 135.

<sup>45</sup> *National Intelligencer*, April 19, 1809.

<sup>46</sup> *Ibid.*, June 17, 1808.

<sup>47</sup> *Richmond Enquirer*, December 22, 1808.

<sup>48</sup> *National Intelligencer*, March 17, 1809.

<sup>49</sup> *Baltimore Evening Post*, October 26, 1808.

<sup>50</sup> *Paulson's American Daily Advertiser*, November 15, 1808.

articles of domestic manufacture. Only one instance will be noted, but the account will be quoted entire, for it shows the results as well as the inducements:

The Philadelphia Premium Society has awarded to Col. Humphrey's exhibit of Broadcloth, a premium of 50 dollars. The opinion of the judges was, 'that the article of superfine cloth from the State of Connecticut, exhibited for the premium No. 1, is not only superior to any other specimen or to any idea they had entertained that cloth of such quality could be manufactured in the U. S. but that it is in goodness of workmanship, whether as it regards the spinning, weaving, dying or dressing, at least *equal*, and in fineness of wool *much superior*, to the best Broadcloth imported from any part of Europe.'

The persons employed in the manufacture of the premium piece, five in number, have been each presented with an American half eagle by the society. The Broad cloth manufactured at Humphreysville, (Con.) sells the best kind for 10 dollars per yard, and the second quality for 7. President *Jefferson*, and a number of other distinguished characters, have ordered patterns for coats from this manufactory.<sup>51</sup>

Naturally, friends of the embargo continually pointed to the stimulus of that measure on manufactures. A widely copied article read:

In Philadelphia, the embargo, although fell severely has not produced distress to the population. This is owing in a great measure to the buildings now erecting in the city. The capital of the merchants and monied men being withdrawn from commerce has been appropriated to other purposes. Almost four hundred houses are now erecting in the city which allowing twenty men to each house, including carpenters, brickmakers, brick-layers, masons, labourers, etc. now give employment by the embargo to 8,000 of our citizens who would otherwise be severely affected by the embargo. Besides, the banks have continued their discounts and have indeed, so much money to lend, that no man who has tolerable personal security to offer will be refused a discount.<sup>52</sup>

In October, 1808, the *Aurora* said:

The embargo has built, or nearly built, one thousand new houses in this city. The embargo has erected two manufactories of shot in this city, which forever secures the circulation at home of about two hundred thousand dollars, hitherto sent abroad to pay for shot. For shooting birds alone we sent two hundred thousand dollars abroad. Philadelphia now, from the two towers erected for casting patent shot, can, after supplying all America, supply all Asia besides. . . We have two manufactories of

<sup>51</sup> Boston *Independent Chronicle*, January 9, 1809.

<sup>52</sup> Baltimore *Evening Post*, September 1, 1808.

red lead already established, whose capacity is competent to supply the whole country, with red lead and with litharge. A manufactory of white lead is also going on.<sup>53</sup>

Early in 1808 the Philadelphia Manufacturing Society was established with a capital of fifty thousand dollars in fifty dollar shares. It expected to make cotton, woolen, linen, and other goods. On November 17, the manufacturers and mechanics of Philadelphia celebrated the improved prospects of industry by a big dinner. Colonel Humphreys of Connecticut was present. John Dorsey, president of the festival, appeared in a suit of American broadcloth made from merino fleece.<sup>54</sup>

In New York much capital was diverted from commerce to manufacturers. Dr. Seth Capron, who had erected the first cotton manufactory in that state at Whitesborough, Oneida County, established the Oriskany Woolen Mills, thought by some people to be not only the oldest in the state, but also in the United States. The charter of the company was dated in 1809, but the mills had then been in operation several months. Among the members of the company were Stephen Van Rensselaer, Ambrose Spencer, DeWitt Clinton, John Taylor, James Platt, Nathan Williams, Newton Mann, and Theodore Sill. Prices were high for several years. The satinets first made sold for four dollars per yard and the broad cloth brought from ten to twelve dollars. During the first four years the wool used cost one dollar and twenty cents per pound on the average.<sup>55</sup>

The development of cotton manufactures, due to commercial restrictions, 1803-1810, was wonderful. In 1803 there were

<sup>53</sup> *Statesman*, November 24, 1808.

<sup>54</sup> Scharf, J. T. and Westcott, Thompson, *History of Philadelphia*, Vol. I, pp. 531, 532. The 1808 and 1809 newspapers of Philadelphia contain numerous advertisements of manufactures. A few of these are quoted in Professor L. M. Sears' "Philadelphia and the Embargo of 1808." This paper was read in manuscript form through the courtesy of Professor Sears, but now appears in the *Quarterly Journal of Economics*, February, 1921. Professor Sears, it appears to the present writer, has practically established his thesis, "That in the case of one great commercial city (Philadelphia) an embargo which should in theory have proved wholly ruinous, served in fact, partly in combination with growing demands from the Western market, to stimulate manufactures to a point where prosperity exceeded adversity." In other important cities the development of manufactures undoubtedly mitigated the losses arising from the commercial restrictions.

<sup>55</sup> Lamb, M. J., *History of the City of New York*, Vol. II, Part II, pp. 545, 546.

only four cotton mills in the United States; in 1810, the number was 226, a gain of 5550 per cent. These mills were distributed as follows: Massachusetts—54; Vermont—1; Rhode Island—28; Connecticut—14; New York—26; New Jersey—4; Pennsylvania—64; Delaware—3; Maryland—11; Ohio—2; Kentucky—15; and Tennessee—4.<sup>56</sup>

A widely copied summary of the beneficial effects of the first six months of the embargo on manufactures follows:

In the New England states, thousands of respectable manufactories are in active operation.

In Philadelphia, besides a respectable public establishment, a great number of private flourishing manufactories of cotton have been established.

In Baltimore a company with a million is organized.

In Petersburg twenty-five thousand dollars have been subscribed in a day.

In Richmond, under the most intelligent and patriotic auspices, a capital of half a million is engaged in this object.

In short the patriotic flame appears to be fed throughout the whole union by an inexhaustible fuel.

Already, it is computed that at least five millions of dollars have been devoted to manufactures in the last six months; a capital competent to the furnishing manufactured articles to the amount of at least ten millions.

Britain, seeing what is already done, will anticipate what will happen if she persist in her injustice; she will see that, five years hence, we shall not need a tenth part of the manufactured goods we now receive from her.<sup>57</sup>

Copious quotations of the stimulating effect of the embargo on manufactures might be made from practically all the writers of this period, but the author will content himself with a brief reference to three of the older writers, one of the late investigators, and close this part of the discussion with a short reference to Gallatin's report. B. J. Lossing wrote: "The number of cotton factories in the United States in 1810, when embargoes and other disturbers of commerce with Europe stimulated that industry here, was 241 and the number of spindles was 96,000."<sup>58</sup> After referring to the harmful effect of the embargo on commerce, A. S. Bolles said: "Accordingly, capital was withdrawn from the shipping interest, and put into manu-

<sup>56</sup> Wright, C. D., *History of Wages and Prices in Massachusetts, 1752-1853*, p. 17.

<sup>57</sup> *Boston Gazette*, July 7, 1808.

<sup>58</sup> *History of American Industries and Arts*, p. 293.

<sup>59</sup> *Industrial History of the United States*, p. 865.



factures.’’<sup>59</sup> J. H. Patton, after referring to the bad effects on commerce and agriculture added: “Some good grew out of this evil. The tens of thousands thrown out of employment by the effect of the embargo and kindred measures were compelled by the iron hand of necessity to seek a livelihood by other means and their attention was somewhat directed to domestic manufactures.’’<sup>60</sup>

V. S. Clark, while not emphasizing the stimulus of the embargo as much as some other writers, nevertheless, does say that the embargo and hostilities with England with “accompanying conditions in Europe greatly assisted that expansion.” Of the embargo itself, Clark declared:

The effect of the embargo was two fold; it curtailed foreign supplies of textiles and it caused capital to be transferred from commerce to manufacturing. This was not a net gain, for the business disturbance due to so abrupt and artificial a readjustment brought loss as well as profit even to the industries that were its ultimate beneficiaries. However, a remarkable multiplication of mills ensued. In 1809, if we may trust the testimony of a prominent contemporary engaged in this industry, more than 50 mills were under construction in New England.<sup>61</sup>

Gallatin's Report on Manufactures in 1809 divided manufactures into three general classes. In the first class he placed manufactures of wood, or of which wood was the principal material, leather, soap, tallow candles, spermaceti oil and candles, flaxseed oil, refined sugar, coarse earthen ware, snuff, chocolate, hair powder, and mustard; these were the articles of which the United States produced enough to supply the home consumption. In the second class he placed manufactures “firmly established”; iron, cotton, wool, flax, hats, paper, printing types, printed books, playing cards, spirituous and malt liquors, hemp, gunpowder, window glass, jewelry and clocks, lead, straw bonnets and hats, and wax candles. In the third class he placed manufactures in which progress had been made as paints and colors, several chemical preparations and medicinal drugs, salt, copper, brass, japanned and plated ware, calico printing, queens and other earthen and glass wares, etc.

It is not the intention to discuss all the manufactures which

<sup>60</sup> *History of the United States of America, from the Discovery of the Continent to the Close of the Thirty-sixth Congress*, p. 569.

<sup>61</sup> *History of Manufactures in the United States, 1607-1860*, p. 536.

were said to be worth about one hundred and twenty million dollars; neither is it the intention to take up the iron manufactures or leather manufactures, both important, the former worth fifteen million dollars and the latter twenty million. A brief reference, however, will be made to the textile and household manufactures. Returns were received from eighty-seven mills erected at the end of 1809. Sixty-two (forty-eight water and fourteen horse) were in operation and worked thirty-one thousand spindles. By far the largest part of material made from cotton, flax, and wool, however, was manufactured in private families. Carding machines worked by water were established in the eastern and middle states and were being introduced elsewhere. Jennies and other spinning machines as well as flying shuttles were also introduced in many places. Enough fulling mills had been erected to finish all the cloth woven in private families.

Concerning his sources of information and the growth of household manufactures, Gallatin wrote:

The information received from every State, and from more than sixty different places, concurs in establishing the fact of an extraordinary increase, during the two last years, and in rendering it probable that about two-thirds of the clothing, including hosiery, and of the house and table linen, worn and used by the inhabitants of the United States, who do not reside in cities, is the product of family manufactures.<sup>62</sup>

Again, in commenting on the causes for general growth of manufactures, the Secretary of the Treasury wrote:

A great American capital has been acquired during the last twenty years; and the injurious violations of the neutral commerce of the United States, by forcing industry and capital into other channels, have broken inveterate habits, and given a general impulse, to which must be ascribed the great increase of manufactures during the two last years.<sup>63</sup>

The decided stimulus given to manufactures by commercial restrictions lasted until 1815. When the war of 1812 closed, English and other European manufacturers were dumped on the American market. The protective tariff system was inaugurated in 1816, however; hence the impetus given by the embargo was never lost entirely.

<sup>62</sup> *American State Papers, Finance*, Vol. II, p. 427.

<sup>63</sup> *Ibid.*, p. 430. Whole report is found pp. 425-431.

## CHAPTER VIII

### EFFECT OF THE EMBARGO ON AGRICULTURE

Decidedly unlike the effect on manufactures was the effect of the embargo on agriculture. This effect, already referred to in the debates, will be discussed under the following heads: price of produce, value of real estate, payment of debts, speculation, and general effect on the various sections of the country.

Congressional debates abound with references to unsold crops and low prices of agricultural products. On November 17, 1808, Nathaniel Macon of North Carolina, a friend of the embargo, admitted that crops remained unsold.<sup>1</sup> On November 28, Josiah Quincy and Ezekiel Bacon of Massachusetts, the former an opponent and the latter a friend of the embargo, seemed to be agreed that beef, pork, butter, cheese, and other products commonly exported sold at a lower price than formerly, whereas imported products as tea, sugar, salt, West India rum, and molasses sold at a higher price.<sup>2</sup> Two days later, George M. Troup of Georgia, a friend of the embargo, contended that the South had suffered as much from that measure as the North. He declared that the ordinary market price of cotton was between eighteen and twenty-two cents, whereas the embargo price was ten to twelve, that the ordinary price of rice was from five to six dollars, whereas the embargo price was two to three.<sup>3</sup> A month later, December 27, James Sloan of New Jersey, an opponent of the embargo, declared that domestic produce had fallen one-half in value, while imported products had risen in the same proportion, because of the embargo.<sup>4</sup> Over a month later, January 31, 1809, John Rhea of Tennessee, a former friend of the embargo, now speaking for repeal on the fourth of March, said that the

<sup>1</sup> *Annals of Congress*, Vol. XIX, p. 499.

<sup>2</sup> *Ibid.*, p. 538.

<sup>3</sup> *Ibid.*, p. 604.

<sup>4</sup> *Ibid.*, p. 925.

agricultural interest had "to its great disadvantage, endured for a sufficient length of time, the great depression in the price of produce."<sup>5</sup>

Numerous other references to speeches made in both Houses of Congress might be given to show the general concurrence of opinion among friends and foes of the embargo that low prices were considered due to the embargo, though it ought to be pointed out again that friends of the embargo often liked to insist that the low prices and slow sales were due to the orders of England and the decrees of France rather than to the embargo itself.

American anti-administration newspapers with many others from the first passage of the measure referred to the damaging effects on agriculture. A Massachusetts paper commented on the "alarming and melancholy situation of the United States, and more especially of the great commercial cities" as sufficient to "appal the stoutest hearts."<sup>6</sup> A week later the same paper commented on the big fall in the price of flour at New York, Alexandria, Baltimore, and other places, and stated that several great failures had already occurred.<sup>7</sup> Two weeks later a writer favored the establishment of a national fast day because "of the present circumstances which so seriously threaten the peace of our country."<sup>8</sup>

About the same time a Charleston, South Carolina, paper said:

What the effect of this will be abroad, we are to learn hereafter, but those which it is producing at home we begin to feel pretty sharply; rice, which some weeks since sold briskly at three dollar 50 cents, is now nominally but one dollar 75 cents. Black seed cotton has fallen from 34 cents to 22 or 23, and no sale; and corn down to 56 cents. The North Carolina Price Current says, flour is down to two dollars 25 cents the barrel; and tobacco to two dollars 50 cents the hundred weight. Such is the beginning of the embargo measure; but what will be the end?<sup>9</sup>

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<sup>5</sup> *Ibid.*, p. 1246.

<sup>6</sup> *Massachusetts Spy, or Worcester Gazette*, January 6, 1808.

<sup>7</sup> *Ibid.*, January 13, 1808.

<sup>8</sup> *Ibid.*, January 27, 1808.

<sup>9</sup> *Scots Magazine; and Edinburgh Literary Miscellany*, Vol. 70, p. 295. This quotation came from the *Charleston Courier* and was widely copied. It is found in the *Connecticut Courant*, February 17, 1808.

Frequently the attacks took the form of poetry. One stanza from the long poem, "Americans and Liberty," follows:

"We all have families to feed,  
And cover from the cold.  
In former years 'twas easy  
When produce could be sold,  
But now, what Bonaparte command,  
Our chiefs with him agree,  
And all he wants, our Congress grants;  
Such now is liberty."<sup>10</sup>

A memorial of the selectmen of Northampton to Congress for the repeal of the embargo refers in detail to the bad effects on merchants, sailors, and farmers. Moreover, it shows how the injury of the former harmed the farmers. Thus we note:

That bankruptcies are continually occurring in our great towns, which spread their effects and produce bankruptcies in the country, which again branch out and extend their disastrous consequences to the door of almost every citizen. The farmer is unable to find a market for his surplus produce, or to realize his dues for such as he may heretofore have vended. His hopes of an honorable and needful reward for the toils of the last season are defeated, his spirits depressed, and his laborious industry checked by the gloomy prospects of the future.<sup>11</sup>

A letter from Colonel Wade Hampton to General Sumter describes the effect of the embargo in the South, especially in South Carolina. The colonel, who supported the embargo, said in part:

The peculiar stage of the African trade had stripped the planting interest, pretty generally, of their resources, and involved many of them in debt. The crop was just coming in to their aid, but being cut off from this, there remains nothing between the hammer of the sheriff's auctioneer and their property—and indeed sales of this description have multiplied to an astonishing degree, in every part of the state.<sup>12</sup>

The embargo, since it lowered agricultural prices, was frequently attacked as a land tax. Thus we note:

*A Land Tax.* The Citizen fairly confesses that the Embargo is a *land*

<sup>10</sup> *Boston Gazette*, March 14, 1808.

<sup>11</sup> *Ibid.*, March 18, 1808.

<sup>12</sup> *National Intelligencer*, April 4, 1808.



tax 'the federalists now have a land tax in their favor! And so it is. The farmer who raises two hundred bushels of wheat and sells the same at only one dollar a bushel in consequence of the Embargo, instead of *Two*, which he has been getting for seven years together, pays in fact a tax out of his land of *one hundred dollars*. Farmers and men of property it is, but not of overgrown estates, who feel the Embargo, and their feelings speak out.<sup>13</sup>

Again, an article which declared that the government revenues, which had come largely from commerce, would now necessarily be replaced by a land tax, read in part:

The Farmer who is nearly ruined by Mr. Jefferson's experiments, who can't sell his crop for half price, and whose grain is rotting upon his hands will be obliged to pay a direct tax to support government, and a set of blind or wicked men who are doing everything in their power to distress the farmers, are to be paid out of their pockets. The only way for the people to save themselves from ruin is to turn such unworthy servants out of office and elect men who they know will vote against the embargo, and all such measures as are intended to destroy commerce and injure agriculture which is her hand-maid.<sup>14</sup>

In the case of forced sales, prices were lower. Thus, according to report, over one hundred bushels of wheat in Montgomery County, New York, were sold at one shilling nine pence per bushel.<sup>15</sup> In contrast to this, if our authority the *New York Gazette* is correctly quoted, potatoes in the Fly Market were, about the same time, worth 2s 6d. per peck, beef nine pence to one shilling per pound, pigs ten to twelve shillings a piece, and "other articles proportionately high."<sup>16</sup>

Another article goes to the opposite extreme. Thus in a Halifax item of May 3, concerning New York, denied by the paper quoting it, flour was reputed to be worth two dollars a barrel, beef and pork one pence per pound, tobacco two dollars per hundred weight, cotton and wool eight cents per pound. The yards and wharves were declared to be so full of produce that some lumber brought down in March had to be sold for firewood.<sup>17</sup>

In general, however, even the strongest of administration

<sup>13</sup> *Connecticut Courant*, May 11, 1808.

<sup>14</sup> *Baltimore Federal Republican and Commercial Gazette*, August 22, 1808.

<sup>15</sup> *Boston Columbian Centinel*, June 15, 1808.

<sup>16</sup> *Northampton Republican Spy*, June 15, 1808.

<sup>17</sup> *National Intelligencer*, August 12, 1808.

newspapers admitted the bad effects of the embargo on agriculture. An editorial in a Virginia paper read in part: "The embargo is certainly an evil—a great evil upon the commercial and agricultural interests of the nation—but what evil, less than it, could be adopted in its place?"<sup>18</sup>

Figures are hard to obtain for the exact prices of various commodities. Since the movement in Massachusetts, however, is in part typical of that in other states, percentage of decrease will be figured from prices in that state. The price of beans in 1808 was 41 per cent less than in 1807, of potatoes 23 per cent less, of rye 14 per cent less, of meal 16 per cent less, of corn about 55 per cent less, of flour 17 per cent less, of butter 17 per cent less, of cheese 5 per cent less, of veal 17 per cent less, of beef 9 per cent less, of mutton 22 per cent less, of pork 43 per cent less, of merchantable boards 12 per cent less, and of high grade cord wood 23 per cent less. The effect on the fishing industry was apparently not so marked. Halibut declined 5 per cent and eels 29 per cent, but cod fish increased 19 per cent. Naturally, articles produced in the southern part of the United States and especially in foreign countries increased in value to some extent. Thus rice increased 44 per cent. Lemons increased 168 per cent in value, cassia 140 per cent, buttons 96 per cent, nutmegs 80 per cent, high grade brandy 33 1-3 per cent, low grade 50 per cent, hose 48 per cent, and shoes 15 to 33 1-3 per cent. The price of some manufactured goods, decreased. Gloves fell 60 per cent in value and sewing silk 16 per cent.<sup>19</sup>

Newspapers commented on the low price of native products and emphasized the high price of imported materials. A New York letter referred to the high prices; salt at \$1.50; Havanna white and brown sugar from \$10.50 and \$12.50 to \$14.50 and \$15. Pepper and cork also increased in a marked way, the latter one hundred per cent.<sup>20</sup> A Massachusetts paper declared that while pork could be bought for three cents a pound, cassimeres had

<sup>18</sup> Richmond *Enquirer*, December 2, 1808.

<sup>19</sup> Wright, C. D., *History of Wages and Prices in Massachusetts*, pp. 70-74. This study by Wright is the most exhaustive of its kind, but unfortunately it applies only to the one state.

<sup>20</sup> Baltimore *Federal Republican and Commercial Gazette*. December 12, 1808.

advanced a dollar a yard, salt had doubled, and that almost all imported dry goods and groceries had risen from ten to fifty and, in some cases, a hundred per cent.<sup>21</sup>

John Howe, the British agent, reported to Sir George Prevost on the low prices. In a letter dated June 7, at New York, he declared that before the embargo cotton sold as high as twenty-four cents a pound, but that a few days ago it would not bring ten cents at public auction.<sup>22</sup> On June 22, he wrote to the same man from Philadelphia concerning his observations in New Jersey. He said that the people were uneasy because of the continuance of the embargo, for the crop prospects were excellent but markets could not be found.<sup>23</sup>

Numerous quotations could be given from writers who point out the harmful effect of the embargo on products. Only one late writer, however, will be referred to, D. R. Anderson, who penned an interesting biographical sketch of William Branch Giles, one of the administration leaders. In this study, Anderson avoided condemning the embargo wholesale, but he did point out some harmful effects. He said that the tobacco, wheat, flour, and corn of Virginia sought in vain for a market. Obviously, if markets were scarce, prices were likely to be low.<sup>24</sup> David Ramsay, in speaking of the evil effects, declared that when the news of the embargo reached South Carolina "the price of produce instantly fell more than one hundred per cent or rather could not be sold from want of purchasers."<sup>25</sup>

Gallatin, Jefferson's right hand man so far as the embargo was concerned, admitted low prices for agricultural products. Thus in his report, December 10, 1808, on the state of the finances, while speaking in favor of the loan policy for raising money for war, he gave tribute to the embargo, which was not all tribute by saying:

The embargo has brought into, and kept in the United States, almost all the floating property of the nation. And whilst the depreciated value of

<sup>21</sup> *Massachusetts Spy*, or *Worcester Gazette*, December 28, 1808.

<sup>22</sup> "Secret Reports of John Howe," *American Historical Review*, Vol. XVII, p. 90.

<sup>23</sup> *Ibid.*, pp. 93, 94.

<sup>24</sup> Anderson, D. R., *William Branch Giles*, pp. 144, 145.

<sup>25</sup> *History of South Carolina*, Vol. II, pp. 135, 136.

domestic products increases the difficulty of raising a considerable revenue by internal taxes, at no former time has there been so much specie, so much redundant unemployed capital, in the country. The high price of public stocks, and, indeed, of all species of stocks, the reduction of the public debt, the unimpaired credit of the General Government, and the large amount of existing bank stock in the United States leave no doubt of the practicability of obtaining the necessary loans on reasonable terms.<sup>26</sup>

Even Jefferson, in unguarded moments, admitted that the embargo caused low prices, and that the expectation of its repeal caused prices to rise. On November 22, 1808, he wrote to W. A. Burwell to deny a story that he had obtained a high price for his tobacco by having an agent spread the report that the embargo was going to be lifted. He declared that if he bought off every Federalist lie by the sacrifice of two or three thousand dollars, he would after a "very few" purchases be "as bankrupt in reputation as in fortune."<sup>27</sup>

This story was, of course, circulated in the papers. According to the account a few weeks before the meeting of Congress, a Mr. Coles of Albermarle received a letter from his brother, Jefferson's private secretary, stating that there was a prospect of an amicable settlement of differences with England. Mr. Coles sold his and the president's tobacco for seven dollars per hundred. "The price is now *four and a half dollars*," the article continued, "Mr. Jefferson will lose nothing by the embargo, whatever other people may do." The *Norfolk Ledger* article then concluded:

We have heard the circumstance stated before we saw the Richmond paper. We do not say that Mr. Jefferson would countenance any deception of this sort; and Mr. Coles (the secretary) no doubt thought and believed, as he wrote; but Mr. Jefferson was fortunate to sell at that time.<sup>28</sup>

Jefferson himself, however, suffered from the measure he so slavishly supported. When he left the White House, he found it necessary to raise money through the aid of Abraham Venable, James Madison, and Charles Clay. He proposed selling two or three thousand acres of land, but probably because

<sup>26</sup> *Annals of Congress*, Vol. XIX, p. 1765.

<sup>27</sup> *Writings of Thomas Jefferson*, Vol. IX, p. 229.

<sup>28</sup> *Federal Gazette and Baltimore Daily Advertiser*, December 4, 1808.

of the difficulty of making a sale at a fair price, he asked for a year in which to dispose of the land.<sup>29</sup>

Of course, there is a very intimate connection between the earning power of property and its value. If land is earning money, people are apt to bid against each other for that land, and the price per acre will naturally rise. The same statement will hold true for houses, business establishments, slaves, and other property which brings in money. On the other hand, if the property, whatever it may be, does not bring in its former return, the price is apt to fall. Farm land whose products are unsalable can not offer hopes of profitable investment. Since the price of the land itself fell, much suffering ensued even with those people who kept their land from the hands of the speculators. Proofs of these statements perhaps need not be given, yet some examples will be shown.

On November 25, James Lloyd of Massachusetts declared in the Senate that industry was paralyzed, that the produce was rotting on their hands, and that real estate was "nearly unsaleable."<sup>30</sup> On December 3, John Randolph of Roanoke declared in the House that produce was down and that land and slaves had fallen in value.<sup>31</sup> Other instances from the congressional debates could be cited, but they appear superfluous.

Newspapers, of course, emphasized the low value of property due to the embargo. In Schoharie county, New York, horses, horned cattle, farming utensils, etc. "which in federal *Free Trade* times would have brought 800 dollars, were knocked off at only fifty-five dollars."<sup>32</sup> Again, in a North Carolina county, according to the *Wilmington Gazette*, at sheriff's sales one thousand acres of land were sold for twelve dollars an acre, while four grown negroes, three horses and three beds were disposed of for ninety dollars.<sup>33</sup>

Another effect of the embargo, apparent in some states, was the tendency to concentrate land in the hands of the wealthy. Thus we read:

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29 *Writings of Thomas Jefferson*, Vol. IX, pp. 240-242.

30 *Annals of Congress*, Vol. XIX, p. 135.

31 *Ibid.*, p. 682.

32 *Boston Columbian Centinel*, June 15, 1808.

33 *Catskill American Eagle*, January 11, 1809.



It is an ill wind that blows nobody good. The embargo although it destroys the poor and middling folks, will make our rich men richer. The small estates which must fall a sacrifice to it will be swallowed up by the large ones; and only two classes will remain—the great land holder, and his vassals.<sup>34</sup>

Travellers in the country found the same conditions prevalent. When John Melish reached Savannah to clear up the wreck of a once prosperous business, he found that his goods were “disassorted” and would not bring half the original value and that other property had fallen. “Some landed property belonged to the concern,” he said, “and some negroes (a species of commodity which I never wished to deal in) and these had fallen in value.”<sup>35</sup>

E. H. Derby, a writer in the *Atlantic Monthly*, said: “Many a rich man was ruined, many a prosperous town was utterly prostrated by the shock. Property, real and personal, fell from thirty to sixty per cent, affecting by its fall all classes of society.”<sup>36</sup>

H. A. Garland and other writers allude to the difficulty of transferring agricultural capital to manufactures as was done with the mercantile capital in the eastern states. Owners had to hold on to their depreciated and exhausted lands or be robbed by speculators. In pointing out the contrast between the North and South, Garland said:

The Southern people being wholly agricultural, could live a few years without the sale of their crops; but the Northern people, being mainly dependent on their labor and commerce, could not exist with an embargo of long duration. Hence we find a patient endurance of its evils on the part of the South, while a spirit of insurrection pervaded the people of the North. In this restless condition, much of their capital and labor were permanently directed to manufactures. The bounties offered by a total prohibition of foreign articles, stimulated this branch of business in a remarkable degree; and when the embargo, non-intercourse, and war ceased to operate as a bounty, they have had to be sustained by heavy duties imposed on foreign commerce, at the expense of the planting interest of the South, which is mainly dependent on a foreign market for the sale of its commodities. Every dollar taken from commerce, and invested in manufactures, was turning the current from a friendly into a hostile channel to that kind of agriculture which was dependent on foreign trade for

<sup>34</sup> Middletown (Conn.) *Middlesex Gazette*, July 14, 1808.

<sup>35</sup> Melish, John, *Travels*, p. 261.

<sup>36</sup> *Atlantic Monthly*, Vol. VII, p. 713.

its prosperity. The immediate effect of the embargo was to starve New England. Its more permanent consequence has been to build it up at the expense of the planting interest of the South. New England has now two sources of wealth, in her manufactures and commerce; while the South have still the only one of planting tobacco and cotton on exhausted lands, and with a reduced market for the sale of her commodities.<sup>37</sup>

Hundreds of people attracted to an agricultural life by the high prices paid for farm products had bought land on credit. They expected to pay for this land by the sale of products at the usual high price, but the embargo interfered with their plans. From 1793 to 1807 flour averaged \$9.12 per barrel at Philadelphia; for the nine years previous it averaged \$5.41 and for the nine years following, \$5.46.<sup>38</sup> Much capital had been drawn into wheat farming by the prevalence of high prices; many people with insufficient capital had chosen this occupation in the hope of large rewards. Naturally, many of these were forced into bankruptcy. Some had bought land under the government act of 1800 which allowed one-fourth of the purchase price of two dollars per acre to be paid down and the balance in three annual installments. During the hard times of 1808 and the years following, many settlers failed and others found that they could scarcely meet their obligations.<sup>39</sup>

As early as March 7, 1808, Robert Troup, in a letter from Albany to Rufus King, said: "In the Genesee county some farmers have been compelled to part with their wheat 1-6 per bushel to raise money to pay their taxes; all the streams that flowed into the treasury of the Pulteney land office in that country are nearly dried up."<sup>40</sup> Nathaniel Macon of North Carolina, one of the warmest friends of the embargo, confessed the need for ready money on March 14, 1808, by proposing that the committee on public lands "be instructed to inquire into the expediency of allowing an additional discount to purchasers of the public land for prompt payment," and his proposal was accepted by the House.<sup>41</sup>

<sup>37</sup> *The Life of John Randolph of Roanoke*, p. 268.

<sup>38</sup> Bogart, E. L., *Economic History of the United States*, p. 123.

<sup>39</sup> *Ibid.*, pp. 145, 146.

<sup>40</sup> *Life and Correspondence of Rufus King*, Vol. V, p. 86.

<sup>41</sup> *House Journal, Tenth Congress*, pp. 224, 225.

Congress realized, as time passed on, the position of those who had bought public land on credit, and with little or no debate both Senate and House passed on March 1, 1809, a bill granting an extension of time of two years from date of last payment made. This bill was approved by Jefferson on March 2.<sup>42</sup>

Other measures also show the difficult position of the country in 1808 and 1809. On March 10, 1808, and January 30, 1809, Jefferson approved measures extending terms of credit on revenue bonds while the embargo was in force.<sup>43</sup> Both Houses of Congress received petitions for the staying of debt collection. On January 9, 1809, Joseph Lewis of Virginia presented in the House a petition of Marshing Waring and other inhabitants of the District of Columbia asking "that all executions which have been or may be awarded against the petitioners and other inhabitants of the said District, may be stayed during the continuance of the embargo and non-intercourse laws of the United States," or if unallowable, that some other relief be granted.<sup>44</sup>

John Melish, in describing his business failure in Savannah, declared that the outstanding debts, if collected at all, "could only be done at a labour, expense and loss of time that would probably be greater than the ultimate value of them." The courts of law, he declared, were suspended; hence, recovery by that means was slow and tedious as well as uncertain. He had 185 debtors scattered over a space of nearly two hundred square miles.<sup>45</sup>

On November 16, Josiah Quincy recorded in his *Dairy* a conversation with John Randolph of Roanoke. The latter told him that the embargo was ruining Virginia, especially his county of Charlotte, where the justices kept open court and business progressed as usual. In other parts of the state, Randolph said, and he cited especially Albermarle County and Jefferson's neighborhood, the justices did not transact business. Such a course naturally checked, somewhat, the imme-

<sup>42</sup> *Annals of Congress*, Vol. XIX, pp. 453, 1230, 1241, 1432, 1433, 1546, 1831 and 1832.

<sup>43</sup> *Ibid.*, Vol. XVIII, pp. 2837-2839; Vol. XIX, pp. 1807, 1808.

<sup>44</sup> *House Journal, Tenth Congress*, p. 456.

<sup>45</sup> Melish, John, *Travels*, p. 261.

diate pressure of the embargo and gave it some popularity with those who wanted an excuse for failure to pay debts. Randolph insisted that the people had been deluded by the embargo and that their support of the measure was due solely to patriotism and a "belief that it had its origin in the real good of the country."<sup>46</sup>

Southern states met with great difficulty in enforcing the payment of debts. Virginia early suspended the levy of executions for a year, an act referred to by a Norfolk paper as "one of the glorious effects of the Embargo."<sup>47</sup> The people of North Carolina also early felt the effects of the embargo, and by common consent agreed to stop law. They would not allow any writ of execution levied or any goods sold at auction in pursuance of such writ.<sup>48</sup> A few months later a petition signed by 272 citizens of Grenville county was presented to the governor. The petition asked that the legislature might be "convened for the purpose of making some provisions against the distresses arising from the embargo."<sup>49</sup>

Constant complaints evidently forced the legislature to act, for a New England paper declared: "*The embargo tells.*—A bill has been passed by the Legislature of North Carolina to suspend executions on contracts till the 31st of Dec. 1809."<sup>50</sup> Agitation was strong in South Carolina, but the legislature early refused to interfere between debtors and creditors. Even at that, however, debts could with difficulty be collected.<sup>51</sup> Georgia passed a law to suspend the sale of property taken in execution, but only until September when it was thought that the embargo would be raised.<sup>52</sup> The Georgia law was specifically admitted by an administration newspaper as being intended to alleviate the condition of debtors.<sup>53</sup>

Very early we have this summary statement: "In some

<sup>46</sup> *Life of Josiah Quincy of Mass.*, by his son Edmund Quincy, pp. 143, 144.

<sup>47</sup> *Boston Columbian Centinel*, February 24, 1808.

<sup>48</sup> *Connecticut Courant*, March 16, 1808.

<sup>49</sup> *Relf's Philadelphia Gazette, and Daily Advertiser*, July 12, 1808.

<sup>50</sup> *Connecticut Courant*, January 11, 1809.

<sup>51</sup> *National Intelligencer*, July 25, 1808.

<sup>52</sup> *Connecticut Courant*, May 11, 1808.

<sup>53</sup> *Richmond Enquirer*, June 17, 1808.

states so deep and general is the ruin that the ordinary course of justice is suspended. . .'<sup>54</sup>

The Legislature of this State," says a Baltimore paper, "have passed the Law for Staying Executions. This is another proof of the efficacy of the Terrapin System. . . When (says Mr. Randolph) I hear that the Court of King's Bench has been obliged to stay proceedings I shall believe that England may suffer as much in consequence of your embargo, as the people of this country now do.<sup>55</sup>

Sometimes efforts were made to relieve the condition of the farmers by lending them money on the security of real estate. Thus the New York legislature authorized a loan of \$450,000 in amounts not exceeding five hundred dollars. The loan applied to every county in the state and was to be secured by real estate.<sup>56</sup> Creditors sometimes preferred produce, though declining in price, to the postponement of settlement. The following entry is taken from an administration newspaper:

The Embargo is No Excuse

The subscriber takes this method to inform those who are indebted to him, that he will receive Wheat, Corn, or Oats, in payment till the tenth of February next, when cash will be expected.—The embargo has not prevented the growth of produce—nor can it longer be a plea to procrastinate payments in grain. January 28, 1809. J. Monroe.<sup>57</sup>

In New York, where executions were not stayed, the number of commitments to prison for debt increased. Thus a Troy item, dated January 17, reads:

*Embargo Effects.* It is a melancholy fact that there have been 291 commitments to the jail in this county for debt, since the 5th of March last: and (we are told by a person upon the limits) from 70 to 100 now remain confined, and within the yard. Previous to the passage of the destructive embargo, it was rare that the number of imprisoned debtors exceeded ten. Numbers are added almost daily to the above, and there is no knowing where it will end. In this way the *Embargo Tells*.<sup>58</sup>

Under the title, "More Embargo Effects," another item adds:

The Humane Society of New York report, that, from the 31st Dec. 1808,

<sup>54</sup> Boston Gazette, May 26, 1808.

<sup>55</sup> Federal Republican and Commercial Gazette, December 16, 1808.

<sup>56</sup> Boston Gazette, April 21, 1808.

<sup>57</sup> Danville (Vt.) North Star, January 28, 1809.

<sup>58</sup> New England Palladium, January 27, 1809.



there have been imprisoned in the goal of the city, on Justices Executions only, 1317 persons! 591 of whom were females! and 726 males. In 1807, the number of prisoners upon the Society's list was 298; they have increased the last year to 1025. It is a remarkable fact that 970 of the above mentioned prisoners were confined for sums less than 10 dollars.<sup>59</sup>

Such reports, stay laws, obstruction of justice, and exaggerated accounts of suffering were, no doubt, responsible for statements made in English papers. One of the monthly magazines declared in March, 1809:

We understand that the Government of the United States has enacted that no execution for debt shall be levied upon any one (Even though upon an actual judgment) before the 1st of January, 1810. The necessity for this measure has been occasioned by the pecuniary embarrassments consequent upon the Embargo.<sup>60</sup>

Naturally enough, when people are in debt and in need of ready money, speculators find profitable business. Men of ability and shrewdness with ready cash or fair credit bought mortgaged land cheap and products that could be kept for a while "at a song".

On December 3, John Randolph of Roanoke insisted that Shylock with a single dollar now made as great a profit out of the suffering planter by purchasing as much actual property as before he could buy with two dollars. For this reason, so Randolph declared, dealers in mortgages and "five per cent per month men" were warm friends of the embargo.<sup>61</sup> On December 27, James Sloan of New Jersey declared that the passage of resolutions reported by the committee on foreign relations looking towards a more stringent embargo law had, in a few days, "transferred an immense sum of money from the industrious yeomanry of the country to idle speculators and stock jobbers of both town and country."<sup>62</sup> On February 2, Benjamin Tallmadge of Connecticut insisted that the prices of export articles would rise from ten to fifty per cent under a belief that the embargo was going to be raised. Postponement of the repeal, he argued, would prolong speculation which ought to be ended as speedily as possible.<sup>63</sup> About three

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<sup>59</sup> *Ibid.*, March 3, 1809.

<sup>60</sup> *Gentleman's Magazines and Historical Chronicle*. Vol. 79, p. 270.

<sup>61</sup> *Annals of Congress*, Vol. XIX, pp. 682, 683.

<sup>62</sup> *Ibid.*, p. 925.

<sup>63</sup> *Ibid.*, p. 1305.

weeks later, February 20, in a speech already cited elsewhere, Randolph spoke against the encouragement of gambling through vacillation in the embargo policy.<sup>64</sup>

Only two other instances of speculation, both from friends of the embargo, will be mentioned. The reader will readily recall the trouble occasioned Jefferson by the free way in which Governor Sullivan of Massachusetts, issued permits to import provisions. In a letter to Lieutenant-Governor Levi Lincoln, November 13, 1808, previously quoted, Jefferson stated that Sullivan's permits were openly bought and sold in Washington, Alexandria, and elsewhere.<sup>65</sup> The buyers, of course, were speculating in farm products. On December 28, Gallatin wrote Jefferson a letter, also previously quoted, stating that all the cotton in New York had "been purchased by speculators in Boston."<sup>66</sup> Since friends and foes of the embargo policy alike admitted speculation in various articles, further comment seems superfluous.

Representatives of the various states seemed to consider it a point of honor to claim that their state suffered more than other states. Even friends of the embargo, as already indicated, pointed out in pride that their states also suffered very severely but that they were more patriotic than the others. Opponents of the embargo answered that southerners as well as northerners watched every opportunity of violating the embargo laws, that their patriotism was of the lip and not in deed. David Ramsay's words are fairly typical of the attitude, and though they do not bear on agriculture alone, will be quoted at this time:

The price of produce instantly fell more than one hundred per cent, or rather could not be sold from want of purchasers. The labors of the past year were rendered unavailing to the relief of their owner though pressed with debt and threatened with executions. Factors, wharfingers, and others engaged in the transportation or sale of commodities, suddenly passed over from the full tide of employment to listless inactivity. A general stagnation of business in the midst of that bustling period which is called the crop season instantly took place. The distresses of individuals were

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<sup>64</sup> *Ibid.*, p. 1475.

<sup>65</sup> *Writings of Thomas Jefferson*, Vol. IX, p. 227.

<sup>66</sup> *Writings of Albert Gallatin*, Vol. I, p. 448.

both the causes and effects of the distresses of others. A chain of suffering encircled the community. All this was magnanimously borne by a great majority of the inhabitants. Their reproaches fell not on the administrators or their own government but on the authors of British orders and French decrees. The Legislature of the State applauded the measures of the general government and their applause was re-echoed by the people. The discontent of a few evaporated in private murmurings, and did not produce a single public expression of disapprobation or impatience. While others contended that they suffered most from the embargo, the Carolinians with justice preferred their claim to the honor of bearing it best. History is confined to the relation of facts, and does not extend to conjectures on contingent events, or it might be added that if the embargo had been as faithfully observed and as patiently borne in every part of the Union as it was in Carolina, the issue would probably have been very different, and certainly more to the honor of the United States.<sup>67</sup>

Just at this time it may be worth while to consider briefly the effects of the embargo on the different sections. The strongest opposition to the embargo, as already indicated, came from the New England States. In the northern states the bankruptcy laws were generally enforced; in the southern states they were not. The pressure accordingly seemed to be greater in the North. The New England carrying trade, as was mentioned in an earlier chapter, was practically destroyed, but a large part of this trade was carried for other sections of the country. In fact, so far as the effect on agriculture was concerned, New England probably suffered less than any other section, for she consumed most of her products. Moreover, abundant water power and the natural skill of the Yankee workman led to the rapid development of manufactures. This development enabled New England to supply other sections of the country with manufactured goods.

In considering the effect of the embargo on the farmer, we should, of course, consider the nature of his products. If they were perishable, the loss would be great; if they would keep indefinitely, his loss would be much smaller. Nevertheless, as previously indicated, practically all farmers suffered from low prices due to a glutting of the home markets and inability to reach the foreign markets. Heavy loss fell on the farmers of the Middle States. Their live stock depreciated in value though, of course, it did not have to be killed at once

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<sup>67</sup> Ramsay, David, *History of South Carolina*, Vol. II, pp. 135, 136.

and grain could be fed to it. Wheat fell from two dollars a bushel to seventy-five cents, and was well-nigh unsalable at that. Shut off from a market for articles of export when imported articles were rising in value, the farmers of the Middle States were well-nigh forced to live off of the products of their own farms. Such a condition, however, was not nearly so difficult then as it would be now. Moreover, throughout the Middle States, as well as in New England, were small cities which furnished local markets of some worth. Again, as in New England, the stimulus given to manufactures offset in small part the disadvantages of the embargo. New York, Philadelphia, and Baltimore, as well as numerous other places, diverted capital from commerce to manufactures.

In all probability the embargo exerted its greatest pressure on the southern states, though many of the best authorities on the subject think otherwise. For instance, James Schouler, who says that the embargo may be compared to the amputation of a "limb in order to save life," declares that the lumber, tobacco, and rice owners did not suffer so much as those with more perishable products, and that an embargo of short duration would not show partiality.<sup>68</sup> Again Professor H. von Holst describes New England as industrially ruined:

"It was quite as easy to discover the proportion in which the different interests had to suffer. The planters' staple articles principally tobacco and cotton, remained unsold, but the planters themselves suffered relatively but little damage. They were sure of finding a market again as soon as the harbors were open. The farmers sold a considerable portion of their products in the country itself; the rest were for the most part a total loss. The productive industry of the New England fishermen, shipbuilders, ship owners, importers and exporters and all who depended on them, ceased almost entirely."<sup>69</sup>

It was true, of course, that tobacco, cotton, rice, and many other important southern products were not immediately perishable. Their market, however, was greatly limited. Tobacco, to be sure, could be consumed at home, and it was to a large extent but at very low prices. Much of the cotton was

<sup>68</sup> *History of the United States under the Constitution*, Vol. II, pp. 180-183.

<sup>69</sup> *Constitutional and Political History of the United States*, Vol. I, p. 209.

likewise sold at home at the low embargo price, and thus helped stimulate northern manufactures. Rice, however, was not a particularly popular article of diet in the North. The people of the New England States preferred the wheat of the Middle States to the rice of the Carolinas or Georgia. Moreover, because of nearness, the surplus wheat and flour of New York, Pennsylvania, and New Jersey were given some preference over the wheat of Maryland, Virginia and states still further south. Again, it must be kept in mind that the farms of the South were much larger than those of the New England and Middle States, and not usually self-sufficing. Big plantations, because of slave labor stuck closely to such staple products as tobacco, cotton, and rice. With the proceeds of the year's crops planters paid debts of years' standing and bought the necessities for the next year. Obviously, anything interfering with this practice wrought hardships on the planters. Moreover, southern society was less flexible than northern society. In New England and the Middle States the people had a fairly good idea of economy and how to practice it. This was hardly true in the South. Many people there had never heard of the word; few knew how to practice it. They went on buying, going deeper and deeper into debt, with thought of the morrow perhaps, yet without knowledge of a way to meet the situation. State legislatures recognized the difficulty; hence we have the stay laws. Now at the same time that products for exports were going down, imported articles were rising in price and the planters were buying as of yore. Moreover, the value of the land, never so great as in the North, was depreciating rapidly. Again, slaves, the peculiar property of the South, were likewise going down in value.

New England commercial capital was fluid and could be easily diverted to manufactures. Southern capital, tied up in land and slaves could, with difficulty, be diverted to manufactures, though efforts were made in that direction and domestic manufactures received a considerable impetus. Again, it must be born in mind that the South was not so favored by water power, climate, and fuel for manufactures as the North. Moreover, the southerner himself lacked the versatility and progressiveness of his northern brother, while his



slaves were not considered capable of diversified farming, let alone manufacturing. Furthermore, while these same slaves were largely fed with southern food stuffs, they were not entirely clothed with southern manufactures. Deprived of English manufactures to some extent, the South helped encourage northern manufactures by supplying cheap cotton and buying the manufactured product. It is not necessary, however, to go all the way with Henry Adams who emphasized the evil effects too much. He wrote:

The true burden of the embargo fell on the Southern States, but most severely upon the great State of Virginia. Slowly decaying, but still half patriarchal, Virginia society could neither economize nor liquidate. Tobacco was worthless; but four hundred thousand negro slaves must be clothed and fed, great establishments must be kept up, the social scale of living could not be reduced, and even bankruptcy could not clear a large landed estate without creating new encumbrances in a country where land and negroes were the only forms of property on which money could be raised. Stay laws were tried, but served only to prolong the agony. With astonishing rapidity Virginia succumbed to ruin, while continuing to support the system that was draining her strength. No episode in American history was more touching than the generous devotion with which Virginia clung to the embargo, and drained the poison which her own President held obstinately to her lips. The cotton and rice States had less to lose, and could more easily bear bankruptcy; ruin was to them—except in Charleston—a word of little meaning; but the old society of Virginia could never be restored. Amid the harsh warnings of John Randolph it saw its agonies approach; and its last representative, heir to all its honors and dignities, President Jefferson himself, woke from his long dream of power only to find his own fortunes buried in the ruin he had made.<sup>70</sup>

At the opposite extreme stands Professor Edward Channing, who underestimated the evil effects of the embargo. He contended that the evil effects of that measure were grossly overstated. One quotation will be given to show the difference of opinion between him and Adams. Said Channing:

The conditions of Virginia life forbade any such supposition as that which even so calm a writer as Mr. Adams permitted himself to make. Tobacco was not a perishable commodity like peaches or pears; it could be kept, when properly cured for several years. The domestic tobacco market remained open during this time. The great Virginia plantations were practically self-sustaining, so far as the actual necessities of life were concerned; the slaves had to be clothed and fed whether tobacco and

<sup>70</sup> *History of the United States*, Vol. IV, pp. 281, 282.

wheat could be sold or not, but they produced, with the exception of the raw material for making their garments, practically all that was essential to their well-being. The money which the Virginia planters received for their staple products was used to purchase articles of luxury—wine for the men, articles of apparel for the women, furnishings for the house, and things of that kind, and to pay the interest on the load of indebtedness which the Virginia aristocracy owed at home and abroad. It is doubtless true, although not susceptible of absolute proof, that Virginia society was already honey-combed with extravagance and debt. Its ruin was already begun; the embargo, so far as it operated to instil ideas of economy into the heads of those whom Josiah Quincy termed the 'lordlings of Virginia' was a positive benefit.<sup>71</sup>

Many people think that the noise made, the complaints uttered, and the number of law violations measure the injuries inflicted by an oppressive law. Judged by that standard, New England and New York suffered most from the embargo. That standard, however, is crooked. New England was the stronghold of the Federalists, the opposition party, and that fact alone explains a whole lot. From the dawn of history, and if we may judge by human nature, to the millenium, the opposition party has condemned and will condemn the party in power wherever possible, if for no other reason than a desire to regain office. A large part of the opposition to the embargo in the North was thus political; on the other hand, the main reason for its support in the South was political. Jefferson and most of the friends of the embargo came from the South. Again, it should be borne in mind that, as time passed, the opinion developed in all parts of the country that the embargo was directed against England primarily. Since the Federalists sympathized with England, they found an added, though an unpatriotic reason, for opposing the embargo. They wished to be on good terms with Great Britain, for that country, by her control of the sea, could regulate commerce, and, if she desired, could inflict far greater injuries on the American carrying trade than could France. Befriended by England, that carrying trade would be immensely profitable. In the South the carrying trade was too small to occasion much worry. The trouble there was largely the low price of real estate, slaves, and farm

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<sup>71</sup> *Jeffersonian System*, pp. 217, 218.

products. England was regarded as the enemy. France was more of a friend, for Jefferson and others who had been in France still remembered French associations and the help given by that country during the Revolutionary War. Again, the ravages of the British army in the South had been greater than in the New England States; hence the hatred of England was deep seated. Thus, believing that the embargo was directed against Great Britain, the South supported it for the very reason that New England opposed it. Moreover, the very character of southern society, aristocratic and hence undemocratic, blinded the southerners to the dangers from Napoleon and his empire. The democratic town meetings, hotbeds of discussion, were not found in the South as in New England.

Largely for political reasons then, the South bore the pressure of the embargo with more patience than the North, but the suffering was perhaps greater, though the noise was less. In the North, smuggling and riots were common; in the South riots were uncommon, but smuggling was carried on, though to a lesser extent than in the North, for the opportunities of law violation were smaller. For that very reason then, the suffering was perhaps greater. David Ramsay, while pointing out the extreme hardships occasioned by the embargo, insisted that if the other states had observed the measure as cheerfully and faithfully as South Carolina, "the issue would probably have been very different, and certainly more to the honor of the United States."<sup>72</sup> The reader then, because complaints were few at first, should not think that the embargo pressed lightly on the South. Political ties, hatred of England, and the very character of southern society led to the support of the embargo even when the weight of that measure was falling with crushing force on most classes of the population.

In concluding the discussion of the effect on agriculture, it seems almost superfluous to point out in summary that unlike the case with manufactures, the embargo injured agriculture and the farmers as a whole.<sup>73</sup> Prices of agricultural products

<sup>72</sup> *History of South Carolina*, Vol. II, p. 136.

<sup>73</sup> It is possible, of course, to give exceptions as in the case of the hemp growers in the West. Even there, however, the price of hemp was low. In 1810 in the

went down, imported articles went up, land and slaves depreciated in value, mortgages were foreclosed or stay laws were forced through, speculators thrived by buying up products from farmers at low prices, and money lenders obtained exorbitant interest. In short, many a large estate was lost in whole or in part, many an aristocratic planter went to the wall, and many a poor farmer with his wife and children suffered for the actual necessities of life in the way of clothing, if not of food. With his products well nigh unsalable and his credit poor, the farmer certainly had "a hard row to hoe."

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state of Kentucky 11,510,000 pounds of hemp were valued at \$690,600 and the 3,987,000 pounds of cordage at \$398,400. People, because of low prices and the difficulty of transportation, soon turned their attention to the culture of tobacco (Pitkin, Timothy, *Statistical View*, p. 235).

## CHAPTER IX

### EFFECT OF THE EMBARGO ON COMMERCE

The effect of the embargo on the carrying trade was at once apparent. In considering figures it must be borne in mind that the customs year ended September 30; hence no one year shows the full effect of the embargo, for that measure was enacted in December of 1807 and repealed in March of 1809. The comparisons of 1807 and 1808, however, partially show the difference; hence they will be used here. In 1807 the sugar exported amounted to 143,136,905 pounds; in 1808 to 28,974,927. The figures for coffee stood at 42,122,573 pounds and 7,325,448; for pepper, 4,207,166 pounds and 1,709,978; and for cocoa, 8,540,524 pounds and 1,896,990. Exportation of other products was down in about the same proportion. The total value of exports in 1807 was \$108,343,150 and in 1808, \$22,430,960.<sup>1</sup> The duties on goods principally ad valorem, fell from \$18,971,539 in 1807 to \$4,765,737 in 1808.<sup>2</sup>

An examination of the trade of the United States, with the leading countries of the world is worth considering at this time. In 1807 the value of our exports of domestic origin to Great Britain and Ireland was \$21,122,332; in 1808, \$3,093,978; exports of foreign produce fell from \$2,027,650 in 1807 to \$106,327 in 1808. The total value of our exports to those countries thus declined from \$23,149,982 in 1807 to \$3,200,305 in 1808. In the following year exports of domestic produce increased to \$5,326,194 and of foreign produce to \$239,405, a combined total of \$5,565,599. Our dutied imports from Great Britain and Ireland fell from \$38,901,838 to \$18,818,882 in 1808 and to \$17,647,542 in 1803. A casual glance shows that while we sold Great Britain only about one eighth as much as formerly, we bought nearly half as much as we had

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<sup>1</sup> Pitkin, Timothy, *Statistical View of the United States*, p. 81.

<sup>2</sup> *Ibid.*, p. 167.

<sup>3</sup> *Ibid.*, pp. 201, 202.



bought in previous times. The direct trade of the United States with the British West Indies was cut down very much by the embargo, whereas the trade of Canada increased. The total value of the exports from Quebec to the British West Indies in 1806 was £551,570 6s. 3d.; in 1810, it was £1,079,-474 11s. 6d. Lumber exports increased during this period from £110,740 11s. 6d. to £505,689 15s. 6d. The exports of grain, provisions, pot and pearl ashes also increased. Much of this was due to the clandestine trade between Canada and the United States. Moreover, many citizens of the United States, especially those interested in the lumber trade, deprived of employment at home, went to Canada and New Brunswick to find work.<sup>4</sup>

The value of the domestic produce exported to France fell from \$2,715,141 in 1807 to \$708,670 in 1808, while the value of the exports of foreign produce fell from \$10,315,678 to \$2,126,396. The combined values thus decreased from \$13,030,819 in 1807 to \$2,835,066. There were no direct exports in 1809, and in the following year the domestic exports were valued at \$16,782, and the foreign exports at \$1,672, or the insignificant total of \$18,454. England, by her control of the sea, managed to gain possession of the French West Indies in 1807, and retained them until general peace was restored in Europe. Our domestic exports to the French West Indies were worth \$2,901,516 in 1807 and \$165,232 in 1814; our exports of foreign origin in the same years were worth \$2,968,-816 and \$12,947. Trade, virtually annihilated by embargo and war, picked up to some extent after the French regained possession.<sup>5</sup>

In 1807, the value of exports of domestic produce to Spain was \$1,181,231 and of foreign produce was \$3,547,907; in 1808 these totals fell to \$541,378 and \$901,003. The combined values thus decreased from \$4,729,138 in 1807 to \$1,442,381 in 1808. Our exports to the Spanish West Indies and American colonies likewise decreased. The value of exports of domestic produce fell from \$2,470,472 in 1807 to \$631,086 in 1808, while the value of exports of foreign origin declined

<sup>4</sup> *Ibid.*, p. 219.

<sup>5</sup> *Ibid.*, pp. 222-226.

from \$9,870,753 to \$3,545,967. The totals thus fell from \$12,341,225 to \$4,177,053.<sup>6</sup> In 1809 they were back to \$3,352,271 for the domestic, \$3,333,346 for the foreign, and \$6,685,617 for both.

The exports to Portugal of domestic origin fell from \$829,313 in 1807 to \$342,277 in 1808. Unlike the case with France and Spain, our exports of foreign origin were worth less than those of domestic origin. The former were worth \$159,173 in 1807 and apparently nothing in 1808. Trade declined, because of the embargo, from \$988,486 in 1807 to \$342,277 in 1808. During the American non-intercourse acts, numerous articles ultimately destined to Great Britain and other European countries went to Portuguese possessions. In 1809, the value of domestic produce, consisting largely of cotton, shipped to Madeira was \$2,336,656; the value of the produce shipped to Fayal and the other Azores, also largely cotton, was \$2,926,482. After the action of Napoleon had caused the Portuguese government to move to Brazil, our trade with Portuguese America increased. In 1807 it was worth about five thousand dollars; in 1809 almost nine hundred thousand and in 1810 over one million six hundred thousand. Figures were not given by Pitkin for 1808, but in 1809 the value of the exports of domestic produce was \$540,653 and of foreign produce \$343,082. The next year the figures stood at \$721,899 and \$889,839.<sup>7</sup>

Before the embargo was passed, the United States was trying to coax into growth a sickly trade with Russia. In 1807 the exports of domestic origin were worth \$78,850 and of foreign origin \$366,367; in 1808 no exports of either domestic or foreign origin were recorded. The next three years, however, saw a rapid growth until the trade was checked by the outbreak of the War of 1812. In 1809, exports of domestic origin were worth \$146,462 and of foreign origin \$737,799; in 1810, the figures stood \$1,048,762 and \$2,926,936; in 1811, they were \$1,630,499 and \$4,507,158.<sup>8</sup>

With Sweden the ordinary trade of the United States was

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<sup>6</sup> *Ibid.*, pp. 227-229.

<sup>7</sup> *Ibid.*, pp. 231, 232.

<sup>8</sup> *Ibid.*, p. 233.

small. After the repeal of the embargo, though, the trade increased. Much of this was in cotton, in all probability destined for Great Britain, and in colonial produce intended for northern Europe. In 1809, the value of domestic exports, largely cotton and tobacco, regularly cleared for Swedish ports was \$4,030,395, and the value of foreign produce was \$1,409,303; in 1810, the figures were \$1,563,336 and \$4,294,397. From nearly six millions in 1810, however, the total dropped to \$240,807 in 1815; \$204,066 of this was in exports of domestic origin. In 1807 the exports of domestic produce shipped to the West Indies amounted to \$416,509 and the exports of foreign produce to \$911,155. With the embargo, these, of course, declined, but with the partial repeal, exports increased again. In 1809, our exports of domestic produce to the Swedish West Indies were valued at \$2,757,859 and of foreign produce at \$887,960.<sup>9</sup>

The value of our exports to Denmark and Norway was, for domestic produce, \$572,150 and for foreign produce \$836,468 in 1807; in 1809 the figures were \$958,584 and \$3,327,766; and in 1810, \$3,962,739 and \$6,548,051. These figures, as in other cases, simply showed that commerce untrammelled by commercial restrictions would find new outlets. They indicate also that much of the trade was intended for countries other than those to which the goods were shipped. Our exports to the Danish West Indies, in common with other places, were lowered by the embargo and by the War of 1812. In 1807 the domestic exports were valued at \$1,614,711 and the foreign exports at \$1,505,988; in 1815 the figures stood at \$496,249 and \$47,720.<sup>10</sup>

Our exports to Hamburg, Bremen, other Hanse towns and the ports of Germany, but largely to Hamburg, were greatly handicapped by the embargo. In 1807, the value of exports of domestic produce was \$912,225 and of foreign produce \$2,248,057; in 1808 the figures were \$24,963 and \$204,852; and in 1809, \$709,981 and \$1,682,662. The figures for the three years thus amounted to \$3,160,282, \$229,815, and \$2,392,643.<sup>11</sup>

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<sup>9</sup> *Ibid.*, pp. 236, 237.

<sup>10</sup> *Ibid.*, pp. 237-239.

<sup>11</sup> *Ibid.*, p. 241.

Our profitable export trade with Holland was well-nigh wrecked by the embargo. In 1807 the value of the exports of domestic origin was \$3,098,234 and of foreign produce \$13,086,160; in 1808, the figures were \$382,121 and \$2,227,722; in 1809, \$421,294 and \$697,070; in 1810, \$74,194 and \$28,992; and in 1811 apparently nothing. They thus fell from \$16,184,394 in 1807 to \$2,609,843 in 1808, to \$1,118,364 in 1809, to \$103,186 in 1810. Exports did not reach a third of the value recorded in 1810 until after the war of 1812 had closed. In 1815, however, they passed the four million dollar mark again. Our exports to the Dutch West Indies and American colonies decreased in much the same proportion. In 1807, the exports of domestic produce to these possessions amounted to \$496,010 and of foreign produce to \$307,366; in 1808, the figures were \$97,734 and \$14,839; in 1809, \$33,412 and \$771; and in 1810, \$39,724 and \$31. The totals thus decreased from \$803,376 to \$112,573 to \$34,183 and then rose in 1810 to \$39,755.<sup>12</sup>

Our domestic exports to Italy were valued at \$250,257 and our exports of foreign origin at \$5,499,722 in 1807. In 1808 the figures were \$58,085 and \$1,312,173; in 1809, \$49,206 and \$1,106,539. The totals stood at \$5,749,979; \$1,370,258; and \$728,494. The latter figure was not again reached until 1816 when it was doubled.<sup>13</sup> Other countries such as China might be considered, but the trade was inconsiderable and showed the same general effects from the embargo as those already considered. Before passing on to the particular products and different states, however, part of a table given in Chapter I will be duplicated.<sup>14</sup>

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<sup>12</sup> *Ibid.*, pp. 241-244.

<sup>13</sup> *Ibid.*, p. 246.

<sup>14</sup> *Ibid.*, pp. 275, 276.

## Exports from the United States to

	<i>Europe</i>		<i>Asia</i>	
	<i>Domestic</i>	<i>Foreign</i>	<i>Domestic</i>	<i>Foreign</i>
1807	\$31,012,947	\$38,882,633	\$ 497,769	\$ 1,598,445
1808	5,185,720	7,202,232	26,649	267,542
1809	17,838,502	13,072,045	703,900	1,218,228
1810	27,202,534	17,786,614	377,795	406,646

	<i>Africa</i>		<i>West Indies,</i>	<i>Amer. Cont., etc.</i>
	<i>Domestic</i>	<i>Foreign</i>	<i>Domestic</i>	<i>Foreign</i>
1807	\$ 1,296,375	\$ 1,627,177	\$15,892,501	\$17,535,303
1808	278,544	218,950	3,939,633	5,308,690
1809	3,132,687	1,472,819	9,732,613	5,034,439
1810	2,549,744	722,777	12,236,602	5,475,258

A casual glance at this table will show that in both 1807 and 1808 the value of the exports of foreign origin was greater than the value of domestic products. It is thus apparent that the section carrying the largest part of these foreign products would make the largest profits and would protest loudest when that trade was interfered with. As the reader already knows, the noise came largely from New England and New York.

Just at this time it seems advisable to examine some of the leading exports of the country 1806-1810. This may be done under four heads: products of the sea, products of the forest, products of the farm, and manufactures. The use of tables tends to simplify matters; hence they will be used very freely:

Fish Exports<sup>15</sup>

<i>Year</i>	<i>Dried Fish quintals</i>	<i>Pickled Fish barrels</i>	<i>Pickled Fish kegs</i>
1806	537,457	64,615	10,155
1807	473,924	57,621	13,743
1808	155,808	18,957	3,036
1809	345,648	54,777	9,380
1810	280,804	34,674	5,964

<i>Year</i>	<i>Value of Cod or Dried Fish</i>	<i>Value of Pickled Fish</i>	<i>Total for Produce of Sea</i>
1806	\$2,150,000	\$366,000	\$3,116,000
1807	1,896,000	302,000	2,804,000
1808	623,000	98,000	832,000
1809	1,123,000	282,000	1,710,000
1810	913,000	214,000	1,481,000

<sup>15</sup> *Ibid.*, pp. 40-47.



The last column includes the value of the whale fisheries also. The value of the common whale oil and bone for the years mentioned above was \$418,000; \$476,000; \$88,000; \$169,000; and \$222,000. For the same years the value of the spermaceti oil and candles was \$182,000; \$130,000; \$33,000; \$136,000; and \$132,000.<sup>16</sup>

The value of the principal exports of the forest and their combined value may likewise be shown by table:

Exports of the Forest<sup>17</sup>

<i>Year</i>	<i>Lumber of all kinds</i>	<i>Naval stores</i>	<i>Pot and Pearl Ashes</i>	<i>Furs and skins</i>
1806	\$2,495,000	\$409,000	\$ 935,000	\$841,000
1807	2,637,000	335,000	1,490,000	852,000
1808	723,000	102,000	408,000	161,000
1809	1,843,000	737,000	1,506,000	332,000
1810	2,537,000	473,000	1,579,000	177,000

<i>Year</i>	<i>Ginseng</i>	<i>Oak bark and other dyes</i>	<i>Total value</i>
1806	\$139,000	\$42,000	\$4,861,000
1807	143,000	19,000	5,476,000
1808	-----	5,000	1,399,000
1809	136,000	29,000	4,583,000
1810	140,000	72,000	4,978,000

The following tables show the amount and value of the leading exports of vegetable food:<sup>18</sup>

<i>Year</i>	<i>Wheat bushels</i>	<i>Flour barrels</i>	<i>Value of both</i>	<i>Rice tierces</i>	<i>Value</i>
1806	86,784	782,724	\$ 6,867,000	102,627	\$2,617,000
1807	766,814	1,249,819	10,753,000	94,692	2,367,000
1808	87,330	263,813	1,936,000	9,228	221,000
1809	393,889	846,247	5,944,000	116,907	2,104,000
1810	325,924	798,431	6,846,000	131,341	2,626,000

<i>Year</i>	<i>Corn bushels</i>	<i>Meal bushels</i>	<i>Value of both</i>	<i>Total value of vegetable exports</i>
1806	1,064,263	108,342	\$1,286,000	\$11,850,000
1807	1,018,721	136,460	987,000	14,432,000
1808	249,533	30,818	298,000	2,550,000
1809	522,047	57,260	547,000	8,751,000
1810	1,054,252	86,744	1,138,000	10,750,000

<sup>16</sup> *Ibid.*, p. 46.

<sup>17</sup> *Ibid.*, pp. 49, 50.

<sup>18</sup> *Ibid.*, pp. 109-123.

Beef, pork, tallow, hams, butter and cheese, lard, live cattle, and horses were considerable articles of export from the United States, especially from some of the northern states where the land was better adapted for grazing. The following table shows the amount and value of these exports:

Produce of Animals<sup>19</sup>

<i>Year</i>	<i>Beef barrels</i>	<i>Pork barrels</i>	<i>Beef, tallow, hides and live cattle</i>	<i>Butter and cheese</i>
1806	117,419	36,277	\$1,360,000	\$481,000
1807	84,209	39,247	1,108,000	490,000
1808	20,101	15,478	265,000	196,000
1809	28,555	42,652	425,000	264,000
1810	47,699	37,209	747,000	318,000

<i>Year</i>	<i>Pork, bacon, lard and live stock</i>	<i>Horses and mules</i>	<i>Sheep</i>	<i>Aggregate value</i>
1806	\$1,096,000	\$321,000	\$16,000	\$3,274,000
1807	1,157,000	317,000	14,000	3,086,000
1808	398,000	105,000	4,000	968,000
1809	1,001,000	113,000	8,000	1,811,000
1810	907,000	185,000	12,000	2,169,000

Tobacco was produced principally in Maryland and Virginia, and found its markets chiefly in Great Britain, France, Holland, and northern Europe in normal times. The following table shows the form in which tobacco was exported and the value of that sent out in the raw state:

Tobacco<sup>20</sup>

<i>Year</i>	<i>Hogsheads</i>	<i>Manufactured, lbs.</i>	<i>Snuff, lbs.</i>	<i>Value of raw</i>
1806	83,186	385,727	42,212	\$6,572,000
1807	62,186	236,004	59,768	5,476,000
1808	9,576	26,656	25,845	833,000
1809	53,921	314,880	35,955	3,774,000
1810	84,134	495,427	46,640	5,048,000

Most of the cotton exported from the United States went to Great Britain. During the continuance of commercial restrictions, the largest part of cotton reached Great Britain by way of the Floridas, the Azores, Madeira, Spain, Portugal, and Sweden. The following table shows the amount of cotton exported and its value:

<sup>19</sup> *Ibid.*, pp. 124-126.

<sup>20</sup> *Ibid.*, pp. 127-129.

Cotton<sup>21</sup>

<i>Year</i>	<i>Sea island pounds</i>	<i>Upland pounds</i>	<i>Value</i>	<i>Amount to Great Britain</i>	<i>Amount to France</i>
				<i>pounds</i>	
1806	6,096,082	29,561,383	\$ 8,332,000	24,256,457	7,082,118
1807	8,926,011	55,018,448	14,232,000	53,180,211	6,114,358
1808	949,051	9,681,384	2,221,000	7,992,593	2,087,450
1809	8,654,213	42,326,042	8,515,000	13,365,987	None direct
1810	8,604,078	84,657,384	15,108,000	36,171,915	None direct

Other agricultural exports were flax seed, indigo, wax, flax, and poultry. The former was the most important and will be the only one considered here. It went for the most part to Ireland. The exports amounted to 352,280 bushels in 1806 and were valued at \$529,000. For the four following years the totals stood: 1807—301,242 and \$452,000; 1808—102,930 and \$131,000; 1809—184,311 and \$230,000; and 1810—240,579 and \$301,000.<sup>22</sup>

The exports of manufactures fell into two principal classes: those made from domestic materials and those made from foreign materials. In the first class were such things as soap, tallow candles, leather, boots, shoes, saddlery, hats, manufactures of grain (spirits, beer, starch, etc.), manufactures of wood (furniture, couches, etc.), cordage, canvass, linseed oil, iron, snuff, silk shoes, wax candles, tobacco, lead, bricks, turpentine, spirits, wool and cotton cards, etc. In the second class came spirits made from molasses, refined sugar, chocolate, gun powder, brass, copper, and medicine, etc. The value of both kinds of manufactures is shown by the table.<sup>23</sup>

<i>Year</i>	<i>From domestic materials</i>	<i>Manufactures foreign material</i>	<i>Value of both</i>
1806	\$1,889,000	\$818,000	\$2,707,000
1807	1,652,000	468,000	2,120,000
1808	309,000	35,000	344,000
1809	1,266,000	240,000	1,506,000
1810	1,359,000	558,000	1,917,000

By way of recapitulation, the following summary is offered:

<sup>21</sup> *Ibid.*, pp. 130-139.

<sup>22</sup> *Ibid.*, pp. 140, 141.

<sup>23</sup> *Ibid.*, p. 144.

Exports of Domestic Origin<sup>24</sup>

<i>Year</i>	<i>Of Sea</i>	<i>Of Forest</i>	<i>Of Agriculture</i>	<i>Of Manufactures</i>
1806	\$3,116,000	\$4,861,000	\$30,125,000	\$2,707,000
1807	2,804,000	5,476,000	37,832,000	2,120,000
1808	832,000	1,399,000	6,746,000	344,000
1809	1,710,000	4,583,000	23,234,000	1,506,000
1810	1,481,000	4,978,000	33,502,000	1,917,000

<i>Year</i>	<i>Total domestic origin</i>	<i>Total foreign origin</i>	<i>Grand total</i>
1806	\$41,253,727	\$60,283,236	\$101,536,963
1807	48,699,592	59,643,558	108,343,150
1808	9,433,546	12,997,414	22,430,960
1809	31,405,702	20,797,531	52,203,233
1810	42,366,675	24,391,295	66,757,970

It seems advisable, further, to consider the decreases in the different articles of domestic produce as they affected the different parts of the country. A large part of the fishery and forest products came from New England and New York. The decline in the value of the products of the sea was from \$2,804,000 in 1807 to \$832,000 in 1808, or 70 per cent; in products of the forest it was from \$5,476,000 to \$1,399,000, or 74 per cent. In 1807 the value of the raw tobacco exported was the same as that of the lumber, \$5,476,000, but it fell to \$833,000 in 1808 or 85 per cent. Practically all of the tobacco came from Virginia and Maryland. The value of the cotton exported in 1807, practically double the value of the sea and forest exports, fell from \$14,232,000 to \$2,221,000, or 84 per cent. Cotton, of course, was largely a product of the states south of Virginia. The exports of wheat and flour fell in value from \$10,753,000 in 1807 to \$1,936,000 in 1808, or 82 per cent. It will, of course, be remembered that the great wheat producing states were then Virginia and Maryland as well as Pennsylvania and New York. Rice, exclusively a southern product, fell in export value from \$2,367,000 to \$221,000, or 90 per cent. The value of the corn and meal exported, never very great but produced in the South as well as in the North, fell from \$987,000 to \$298,000, or 70 per cent. The aggregate value of animal produce exported, common to all sections of the country, but particularly the North, fell from \$3,086,000 to \$968,000 or 69 per cent. The total value of agricultural

<sup>24</sup> *Ibid.*, pp. 36, 37, 145, 146.

exports fell from \$37,832,000 to \$6,746,000, or 82 per cent. Since the exports of cotton and raw tobacco alone make up over half the value of agricultural exports in 1807, it will scarcely be denied that the South suffered most from the embargo in so far as it affected immediate agricultural exports. This belief is strengthened by the fact that the exportation of both of these articles decreased more than did northern products. In fact, the writer believes that more than half of the loss occasioned agricultural interests by the embargo fell on the southern farmers. The export of manufactures, well nigh negligible, but largely limited to the states north of the Mason and Dixon line, fell from \$2,120,000 to \$344,000, or 83 per cent, a smaller loss than occurred in either cotton or tobacco. From these figures, considered as a whole, it seems probable that the loss in domestic exports occasioned by the embargo south of the Mason and Dixon line was greater than the loss north of that line.

The following tables show the value of the total exports, the exports of domestic products, and the exports of foreign products for each state of the Union, 1806-1810:

States and Territories	Total Exports <sup>25</sup>				
	1806	1807	1808	1809	1810
N. H.	\$ 795,263	\$ 680,022	\$ 125,059	\$ 286,595	\$ 234,650
Vt.	193,775	204,285	108,772	175,782	432,631
Mass.	21,199,243	20,112,125	5,128,322	12,142,293	13,013,048
R. I.	2,091,835	1,657,565	242,034	1,284,532	1,331,576
Conn.	1,715,828	1,624,727	413,691	666,513	768,643
N. Y.	21,762,845	26,357,936	5,606,058	12,581,562	17,242,330
N. J.	33,867	41,186	20,799	319,175	430,267
Penn.	17,574,702	16,864,744	4,013,330	9,049,241	10,993,398
Del.	500,106	229,275	108,735	138,036	120,342
Md.	14,580,905	14,298,984	2,721,106	6,627,326	6,489,018
D. C.	1,246,146	1,446,378	285,317	703,415	1,038,103
Va.	5,055,396	4,761,234	526,473	2,894,125	4,822,611
N. C.	789,605	745,162	117,129	322,994	403,949
S. C.	9,743,782	10,912,564	1,664,445	3,247,341	5,290,614
Ga.	82,764	3,744,845	24,626	1,082,108	2,238,686
Ohio	62,318	28,889	13,115	3,850	10,583

<sup>25</sup> *Ibid.*, p. 53.



States and Territories	1806	1807	1808	1809	1810
Mich.	221,260	311,947	50,848	136,114	3,615
Miss.		701		305	2,958
Orleans	3,887,323	4,320,555	1,261,101	541,926	1,890,948
Total	\$101,536,963	\$108,343,150	\$22,430,960	\$52,203,233	\$66,757,970

A comparison of the figures in the columns for 1807 and 1808 tends to strengthen the convictions previously recorded. In 1808, the exports of New Hampshire were about one-fifth of what they had been in the previous year, those of Vermont one-half, those of Massachusetts one-fourth, those of Rhode Island one-seventh, and those of Connecticut one-fourth. Passing on to the Middle States and again making the rough comparisons, we find that in 1808 the exports of New York fell to one-fifth of the amount recorded in 1807, those of New Jersey to one-half, of Pennsylvania to one-fourth, and of Delaware to one-half. In the states then considered as southern, Maryland's exports dropped to one-fifth of the amount in 1807, District of Columbia to one-fifth, Virginia to one-ninth, North Carolina to one-sixth, South Carolina to one-sixth, and Georgia to one-one hundred-and-fifty-second. Making a comparison in a different and a more accurate way, New England's exports fell from \$24,278,723 to \$6,017,878 or 75 per cent; the exports from the Middle States fell from \$43,493,168 to \$9,748,922 or 78 per cent; the exports from the Southern States fell from \$35,909,167 to \$5,339,096 or 85 per cent. For the country as a whole they fell 79 per cent. These comparisons thus show that in the export of all products, foreign or domestic, the New England section showed the smallest decline whereas the southern section showed the greatest decrease. It must, however, be borne in mind, as will be pointed out again later, that New England ships did a lot of carrying for the southern states.

Exports of Domestic Growth, Produce, and Manufacture<sup>26</sup>

<sup>26</sup> *Ibid.*, p. 55.

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States and Territories	1806	1807	1808	1809	1810
N. H.	\$ 411,379	\$ 365,950	\$ 122,294	\$ 201,063	\$ 225,623
Vt.	91,732	148,469	83,103	125,881	406,138
Mass.	6,621,696	6,185,748	1,508,632	6,022,729	5,761,771
R. I.	949,336	741,988	139,684	658,397	874,870
Conn.	1,522,750	1,519,083	397,781	655,258	762,785
N. Y.	8,053,076	9,957,416	2,362,438	8,348,764	10,928,573
N. J.	26,504	36,063	12,511	269,104	392,798
Penn.	3,765,313	4,809,616	1,066,527	4,238,358	4,751,634
Del.	125,787	77,695	38,052	96,495	79,988
Md.	3,661,131	4,016,699	764,992	2,570,957	3,275,904
D. C.	1,091,760	1,363,352	281,936	681,650	984,463
Va.	4,626,687	4,393,521	508,124	2,786,161	4,632,829
N. C.	786,029	740,933	117,129	322,834	401,465
S. C.	6,797,064	7,129,365	1,404,043	2,861,369	4,881,840
Ga.	*82,764	3,710,776	24,626	1,082,108	2,234,912
Ohio	62,318	28,889	13,115	3,850	10,583
Mich.	221,260	311,947	50,848	136,114	3,571
Miss.		701		305	2,958
Orleans	2,357,141	3,161,381	537,711	344,305	1,753,970

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Total \$41,253,727 \$48,699,592 \$ 9,433,546 \$31,405,702 \$42,366,675

Exports of Foreign Growth, Produce, and Manufacture<sup>27</sup>

States and Territories	1806	1807	1808	1809	1810
N. H.	\$ 383,884	\$ 314,072	\$ 2,765	\$ 85,532	\$ 9,027
Vt.	102,043	55,816	25,669	49,901	26,493
Mass.	14,577,547	13,926,377	3,619,690	6,119,564	7,251,277
R. I.	1,142,499	915,576	102,350	626,135	456,706
Conn.	193,078	105,644	15,910	11,255	5,858
N. Y.	13,709,769	16,400,547	3,243,620	4,232,798	6,313,757
N. J.	7,363	5,123	8,288	50,071	37,469
Penn.	13,809,389	12,055,128	2,946,803	4,810,883	6,241,764
Del.	374,319	151,580	70,683	41,541	40,354
Md.	10,919,774	10,282,285	1,956,114	4,056,369	3,213,114
D. C.	154,386	83,026	3,381	21,765	53,640
Va.	428,709	367,713	18,349	107,964	189,782
N. C.	3,576	4,229		160	2,484
S. C.	2,946,718	3,783,199	260,402	385,972	408,774
Ga.		34,069			3,774
Mich.					44
Orleans	1,530,182	1,159,174	723,390	197,621	136,978
Total	\$60,283,236	\$59,643,558	\$12,997,414	\$20,797,531	\$24,391,295

\* Does not include Savannah's exports which were worth about \$2,250,000.

<sup>27</sup> *Ibid.*, pp. 57, 58

An examination of the two preceding tables shows some interesting things with regard to the effects of the embargo on trade. Domestic exports sent out from New Hampshire fell to about one-third of the value in 1807, those from Vermont to three-fifths, from Massachusetts to one-fourth, from Rhode Island to one-fifth, and from Connecticut to one-fourth. The decline in the Middle States was to about one-fourth in New York, one-third in New Jersey, one-fifth in Pennsylvania, and one-half in Delaware. In the Southern States the decrease roughly speaking was to one-fifth in Maryland, to one-sixth in the District of Columbia, to one-ninth in Virginia, to one-seventh in North Carolina, to one-fifth in South Carolina, and to one-one hundred-and-fifty-first in Georgia. Grouping by sections and estimating more accurately, we find that the New England States fell from \$8,961,238 in 1807 to \$2,251,494 in 1808, or 75 per cent; the Middle States fell from \$14,880,790 to \$3,479,528, or 77 per cent; the Southern States declined from \$21,354,646 to \$3,100,850 or 85 per cent. Domestic exports as a whole decreased 79 per cent.

The exports of foreign products fell to one-one-hundred-and-fourteenth of their value in New Hampshire, to one-half their value in Vermont, to one-fourth their value in Massachusetts, to one-ninth their value in Rhode Island, and to one-seventh of their value in Connecticut. In the Middle States they fell to one-fifth their value in New York, increased by more than half in New Jersey, fell to one-fourth in Pennsylvania, and to less than one-half in Delaware. In the Southern Section they fell to one-fifth their former value in Maryland, to one-twenty-fifth in the District of Columbia, to one-twentieth in Virginia, to nothing in North Carolina, to one-fifteenth in South Carolina, and to nothing in Georgia. Again, speaking more accurately and by sections, the exports of foreign produce fell from \$15,317,485 to \$3,766,384 or 75 percent in New England, from \$28,612,378 to \$6,269,394, or 80 per cent, in the Middle States, and from \$14,554,521 to \$2,238,246, or 85 per cent, in the Southern States. Re-exports decreased as a whole, 78 per cent.

The percentages varied little, considered by groups, in the three tables, but there were wide variations in the case of

individual states. Some of these will be noticed. Vermont lost about two-thirds of her export trade in domestic products, but practically all of her export trade in foreign products. Rhode Island and Connecticut lost a little larger percentage of their foreign exports than of their domestic. New Jersey lost about two-thirds of her domestic exports, but increased her exports of foreign products by more than half, though both were inconsiderable. Maryland suffered a slightly greater loss in the export of her domestic products than of foreign. The District of Columbia and all southern states showed far greater per cent decreases in the export of foreign produce than in the export of domestic produce. The southern merchants engaged in the re-exporting trade consequently lost more, considering their capital, than did the others. Those in the Middle States suffered next, while those in the New England States suffered least.

In comparing the different sections of the country in the domestic export trade, it seems superfluous to point out that all the domestic products sent from a certain state were not necessarily produced there. It seems certain to the writer, however, that the smallest percentage of domestic products produced within the state came from New England, the next smallest from the Middle States, and the largest percentage from the Southern; hence the following figures will not be unfair to the North. In the Middle States the value of domestic exports was nearly twice as great as in the New England States; in the Southern States it was nearly three times as great as in New England. The loss, as already pointed out, was 75 per cent in the Middle States, and 85 per cent in the Southern States. In New England the largest losses were sustained by: Rhode Island—81 per cent; Massachusetts—76 per cent; and Connecticut—74 per cent. In the Middle States the heaviest sufferers were: Pennsylvania—78 per cent and New York—76 per cent. The exports of New Jersey and Delaware were so small that they scarcely affected the total. In order to make the contrast clearer, the decrease percentage for all the Southern States will be given in order: Georgia—99; Virginia—88; North Carolina—84; Maryland—81; South Carolina—80; and District of Columbia—79. It is thus apparent that every

southern state suffered a greater decrease in exports of domestic produce than any state north of the Mason and Dixon line. Since most of the southern exports were agricultural, the conclusion seems obvious that southern farmers suffered more than those in the Middle States who in turn suffered more than those in the New England States.

On the other hand, it should be kept in mind that even though southern merchants engaged in the export business and southern farmers suffered more from the embargo than did the corresponding classes in the North, it was largely because the ships engaged in the carrying trade were owned in other parts of the country and that vexatious restrictions were imposed on the coastwise trade by the embargo. Ships engaged in smuggling could get cargoes at home. The following tables show the registered tonnage employed in the various states, and territories, 1806-1810:

		Foreign Trade <sup>28</sup>									
		1806		1807		1808		1809		1810	
States and Territories		Tons	95	Tons	95	Tons	95	Tons	95	Tons	95
N. H.	20,606	29	22,367	64	20,101	51	23,010	47	24,534		
Mass.	306,075	87	310,309	69	266,519	91	324,690	8	352,806	82	
Vt.	301	27	301	27	301	27	476	11	494	51	
R. I.	28,617	19	28,492	24	23,282	93	28,403	55	28,574	93	
Conn.	26,026	37	27,071	11	22,297	87	21,306	46	22,671	35	
N. Y.	141,186	14	149,061	61	146,682	61	169,535	39	188,556	73	
N. J.	891	84	952	13	525	29	15,596	67	17,338	51	
Penn.	86,728	35	93,993	16	94,658	69	106,621	90	109,628	57	
Del.	1,073	29	1,105		755	49	1,461	83	1,242	88	
Md.	71,819	92	79,782	49	74,699	43	88,188	55	90,045	16	
D. C.	7,797	93	8,643	87	6,556	49	7,482	41	9,416	26	
Va.	34,015	29	33,503	5	29,485	28	36,699	29	45,339	78	
N. C.	22,180	70	21,894	58	16,623	24	23,161	64	26,472	47	
S. C.	40,158	61	45,222	85	41,628	11	42,675	74	43,354	77	
Ga.	10,909	89	12,827	18	11,305	46	10,942	83	12,405	41	
Ohio	160										
Orleans	9,735	33	12,778	68	13,629	56	9,805	86	11,386	45	
Total	808,284	68	848,306	85	769,053	54	910,059	23	984,269	5	

The decrease in the registered tonnage, 1807, 1808, was only 79,253, 31/95. All states showed some decrease except Vermont, Pennsylvania, and Orleans Territory. Over half of this decrease was in Massachusetts, which owned slightly more than one-third of the registered tonnage. If then,

<sup>28</sup> *Ibid.*, pp. 436, 437.



no compensating gain occurred elsewhere, Massachusetts suffered heavily. The following table, however, will bear close examination:

Enrolled Tonnage employed in the Coasting Trade 1806-1810<sup>29</sup>

States and Territories	1806		1807		1808		1809		1810	
	Tons	95	Tons	95	Tons	95	Tons	95	Tons	95
N. H.	1,560	16	3,602	41	3,866	56	3,066	61	2,863	87
Mass.	89,892	16	89,982	78	127,893	79	113,325	63	107,260	72
R. I.	5,766	47	6,279	53	8,981	54	8,265	83	6,899	11
Conn.	15,236	26	15,884	93	21,947	27	19,477	70	19,346	83
N. Y.	70,225	68	72,567	43	77,522	10	78,252	61	83,536	60
N. J.	19,654	37	20,535	85	22,539	65	23,268	84	23,927	60
Penn.	9,252	66	10,355	29	13,455	6	13,497	49	14,255	76
Del.	5,587	72	5,878	2	6,292	56	6,371	94	6,261	74
Md.	38,879	88	40,400	18	46,916	38	47,715	69	46,247	92
D. C.	3,968	31	4,073	58	4,772	70	5,125	32	4,783	1
Va.	28,244	45	27,360	80	29,378	62	29,052	39	31,284	35
N. C.	9,091	26	9,602	2	11,377	44	10,640	94	10,562	56
S. C.	8,972	29	7,773	18	8,858	71	8,043	58	9,449	54
Ga.	2,915	49	3,351	38	3,178	44	3,337	78	3,107	37
Orleans	729	54	542	25	703	26	2,057	71	1,326	69
Total	309,977	5	318,189	93	387,684	43	371,500	56	371,114	12

The reader will note that the gain in the coasting trade tonnage was 69,494 45/95. Every division represented in the above trade save Georgia showed an increase. The obvious conclusion is that vessels formerly engaged in the foreign trade were transferred to the coasting trade. Over half of this gain was in Massachusetts. The loss in the foreign trade was 43,789 73/95; the gain in the coasting trade was 37,911 1/95. Moreover, the increase in tonnage of licensed vessels under twenty tons employed in the coasting trade should be noted. This was only 595 52/95 for Massachusetts, but it amounted to 2,296 89/95 for the country as a whole.<sup>30</sup> By simple arithmetical calculation we find then that Massachusetts' loss was 5,283 20/95, and the total loss for the United States in these two branches was 7,461 87/95. The effect of the embargo on actual tonnage was not striking. It is perfectly true, as Professor Channing points out, that no self-respecting shipowner would allow his vessel to rot at the wharves in a year or two. Moreover, many of these vessels did not tie up in American harbors. They stayed

<sup>29</sup> *Ibid.*, pp. 439, 440.

<sup>30</sup> *Ibid.*, p. 442.

abroad during the embargo, engaged in coasting trade, or in smuggling. The embargo, nevertheless, decidedly injured the commerce by diverting capital to manufactures, giving other nations a chance to win and hold our markets, and by checking ship construction.

The following figures show the tonnage built in the United States, 1806-1810: 1806, 126,093 29/95; 1807, 99,783 92/95; 1808, 31,755 34/95; 1809, 91,397 55/95; 1810, 127,575 86/95.<sup>31</sup> The hard times of the embargo caused less than one-third of the tonnage to be built in 1808 which was constructed in 1807; the partial repeal of the embargo caused the tonnage built in 1809 to jump back almost to the amount constructed in 1807.

A mere recital of figures, however, will not give a picture of the ravaging effects of the embargo. Those effects, almost without exception, have been painted as disastrous by historians since then, and the writer of this monograph has collected numerous quotations from secondary writers who support this view, but as in the case of agriculture, limitation of space and the uselessness of quoting from late writers when contemporary material is at hand cause him to pass them by for the most part.

From the very beginning the merchants protested against the embargo. On December 31, 1807, George Cabot wrote to Pickering from Boston:

Already the evils of the embargo begin to be felt, and threats of violence are whispered. No man can doubt that all our commercial cities will experience that degree of suffering which must destroy order and subordination. Some thousands (including women and children) of persons in this town will be without subsistence in a few days because there is no employment for them. If the government cuts off all the business we are pursuing, they ought to provide a substitute without delay. The embargo brings greater *immediate* distress on us than war, though the latter would *finally* bring ruin. . . <sup>32</sup>

On January 20, Cabot again wrote to Pickering: "I can truly say I do not know a man of any party who openly vindicates

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<sup>31</sup> *Ibid.*, p. 430.

<sup>32</sup> Lodge, H. C., *Life and Letters of George Cabot*, p. 374. This opposition, however, was not universal. Thus William Gray of Salem, Massachusetts, one of the greatest merchants of the period, upheld the measure. See Professor L. M. Sear's article, "Philadelphia and the Embargo," published in the *Quarterly Journal of Economics*, February, 1921.

it [the embargo], though there may be some apologists who would palliate and excuse it. In sixty or ninety days we shall be in a very unhappy state, if it continues.'<sup>33</sup>

On January 26, 1808, William Plumer wrote to Samuel R. Mitchell, a New York Congressman:

Our merchants complain of the embargo as a serious evil; it oppresses our seamen, many of whom are in want of bread, and our farmers feel its pressure in the reduced price of the produce of their lands. When Congress imposed it, they possessed, I presume, information which it was then improper to disclose, but which, if known, would have prevented prudent men from hazarding their ships on the ocean. When from any source, this danger shall be known to our merchants, will the embargo be continued? Or is it designed to operate against other nations? If the latter is the object, I fear, while we are chastising others with *whips*, we shall be scourging ourselves with *scorpions*.<sup>34</sup>

On April 5, Cabot wrote again to Pickering: "Although our people now begin to suffer very much from the embargo, yet it appears that other feelings are stronger, and other passions govern them. . .'<sup>35</sup> On January 18, 1809, Cabot once more wrote: "Our government ought to raise the embargo, and leave commerce free; but this, they know would offend France, and therefore they refuse to do it.'<sup>36</sup>

Many ships were tied up in the harbors of the country. On April 1, 1808, there were 108 ships, 117 brigs and 71 schooners at New York. In ports to the south of New York there were 123 ships, 140 brigs, and 150 schooners; in ports east of New York there were 50 ships, 109 brigs, and 100 schooners. The total was thus 281 ships, 366 brigs, and 321 schooners. The number of men thrown out of the foreign trade was then computed at 8712, or nine for each boat.<sup>37</sup>

On September 1, 1808, 29 Boston-owned ships, 31 brigs, and 11 schooners, exclusive of coasters were embargoed in that city. Of the total tonnage of 13,514, the Federalists owned 8,509, the Democrats 3,715, and 1,020 was doubtful. These vessels would have employed six hundred seamen and were estimated to be

33 Lodge, H. C., *Life and Letters of George Cabot*, p. 376.

34 Plumer, William, *Life of William Plumer*, pp. 364, 365.

35 Lodge, H. C., *Life and Letters of George Cabot*, p. 391.

36 *Ibid.*, p. 406.

37 *Paulson's American Daily Advertiser*, April 12, 1808.

worth at least at half million dollars.<sup>38</sup> The following significant extract, which pictures roughly the conditions of practically all the seaports of the country, is taken from the *American Register*:

On the first day of January, 1809, there were lying in the ports and harbours here mentioned, the following large quantities of shipping; the principal part of which are totally dismantled, having been deprived of their usual channels of trade by the embargo:

Boston	Charleston	Salem	New Bedford
81 ships	13 ships	53 ships	57 ships
92 brigs	10 brigs	35 brigs	23 brigs
79 schooners	17 schooners	58 schooners	27 schooners
61 sloops	.... sloops	19 sloops	sloops, and a gunboat
—	—	—	—
313	40	165	107
Total 625 <sup>39</sup>			

The same magazine declared that on February 21, 1809, there were in the port of Philadelphia and at the point 142 ships, 92 brigs, and 59 schooners, or a total of 293. In addition to these there were about fifteen or twenty coasters.<sup>40</sup>

Newspapers naturally commented on the harmful effects of the embargo on our merchants. Bankruptcies were frequent. Flour at New York, Alexandria, Baltimore and other places fell to four and four and one-fourth dollars per barrel. Several failures took place. One failure in New York was said to be for \$804,000. American credit was damaged, though the embargo could not have been responsible for a Liverpool house protesting 40,000 sterling in one day.<sup>41</sup>

English papers charged the American government with allowing vessels to sail for England in order to save the American credit. The editor of the *National Intelligencer* denied the statement, but lamented the fact that embargo violations were so frequent as to give rise to the supposition.<sup>42</sup>

A Utica item, dated April 12, declared:

<sup>38</sup> *Boston Gazette*, September 1, 1808.

<sup>39</sup> *American Register*, Vol. v, p. 217.

<sup>40</sup> *Ibid.*, p. 233.

<sup>41</sup> *Boston Gazette*, January 4, 1808.

<sup>42</sup> *National Intelligencer*, April 14, 1808.

We have just seen a list of failures of the merchants in the city of New York, which have taken place in consequence of the Embargo, amounting to *ninety-one* in number for the enormous sum of *six millions five hundred and five thousand dollars*. We also learn that the Albany shippers have returned, with their cargoes from New York, not being able to sell one cent's worth of their produce.<sup>43</sup>

John Howe, the secret agent of the British government, addressed numerous letters to Sir George Prevost on commerce and the state of the country. On May 5, 1808, he wrote:

In proportion, however, to this appearance of wealth and prosperity, is the state of suffering they are at present reduced to. Before the Embargo, not a House or Store remained long unoccupied in this town. It is now computed that there are at least 500 Stores and Houses to let, as the late occupiers of them have been either obliged to go into the country, or to turn their attention to other pursuits, than those they were engaged in for support. Wharves where immense bustle were visible before are in a manner departed. Tradesmen particularly those whose employments depended on shipping, are suffering very severely. All descriptions of the country are more or less effected, and you scarcely meet a person who is not complaining; and yet they appear to endure it with a degree of philosophy that is really surprising in a country where the actions of men are under so little restraint.<sup>44</sup>

Howe then declared that there was great suffering and numerous bankruptcies in New York, but only three or four small failures in Boston. British goods in Boston, however, were rising ten to twenty per cent. Portland, formerly Casco Bay, he said, had enjoyed an extensive lumber trade with Liverpool and an extensive fish and lumber trade with the West Indies. The city had gone to the extent of its credit and capital. The embargo had paralyzed its efforts and involved its merchants with few exceptions in bankruptcy. All the commercial towns of the state were injured by the embargo, but none so much as Portland. With regard to Marblehead, he declared that the extensive fishery was at a standstill and the vessels usually employed in it were lying useless in port. Apparently, the effect of the embargo was not then so marked on Salem.<sup>45</sup>

On August 5, Howe wrote from New York concerning a southern trip and the effects of the embargo. Baltimore and Alexan-

<sup>43</sup> *New England Palladium*, April 26, 1808.

<sup>44</sup> "Secret Reports of John Howe," *American Historical Review*, Vol. XVII, p. 79.

<sup>45</sup> *Ibid.*, p. 82.



dria were the principal cities described. He declared that the latter was suffering from the prosperity of the former, and particularly from the embargo. Mr. Patten, the British consul, told him, and he found it true by observation, that there were hardly twenty seamen in the place, and if the embargo were removed, it would take quite a while to collect seamen to man the vessels lying idle by the wharves.<sup>46</sup>

The classic example given of the effects of the embargo is taken from the writings of John Lambert. While describing his visit to New York in November, 1807, he referred to cotton, wool, and merchandise; barrels of potash, rice, flour, and salt provisions; hogsheads of sugar, chests of tea, puncheons of rum, and pipes of wine, boxes, cases, packs and packages of all sizes and kinds scattered on the wharfs, landing places, or decks of shipping. He mentioned also the busy carters, merchants, auctioneers, and coffee-houses.

The coffee-house slip, [he said] and the corners of Wall and Pearl streets were jammed up with carts, drays and wheelbarrows; horses and men were huddled promiscuously together leaving little or no room for passengers to pass. Such was the appearance of this part of the town when I arrived. Everything was in motion; all was life, bustle, and activity. The people were scampering in all directions to trade with each other, and to ship off their purchases for the European, Asian, African, and West Indian markets. Every thought, word, look, and action of the multitude seemed to be absorbed by commerce; the welkin rang with its busy hum, and all were eager in the pursuit of its riches.<sup>47</sup>

Lambert returned to New York in April, after the embargo had been in operation about four months. He found the wharves deserted, the shipping dismantled and laid up, boxes, bales, casks, barrels and packages absent from the wharves, few counting houses open, and a few solitary merchants, clerks, porters, and laborers walking about with their hands in their pockets. Instead of sixty or a hundred carts, he found hardly a dozen and they were unemployed. The coffee-house was almost empty, the streets by the waterside were almost deserted, and grass had begun to grow on the wharves.

In short, [he concluded], the scene was so gloom and forlorn, that had it been the month of September instead of April, I should verily have

<sup>46</sup> *Ibid.*, pp. 96-98.

<sup>47</sup> Lambert, John, *Travels*, Vol. II, pp. 63, 64.

thought that a malignant fever was raging in the place; so desolating were the effects of the embargo, which in the short space of five months had deprived the first commercial city in the States of all its life, bustle, and activity; caused above one hundred and twenty bankruptcies; and completely annihilated its foreign commerce.<sup>48</sup>

Lambert declared that he found the charge commonly asserted that Jefferson's object in laying an embargo on shipping was to annihilate the commerce of the northern states and reduce the merchants and traders to farmers. With regard to this, he said:

How this charge can be reconciled with Mr. Jefferson's known sentiments and actions during his administration I cannot easily perceive. It is well known that the flourishing state of the treasury for the eight years which he was in power was occasioned *solely* by commerce. Why, therefore, he or his successor Mr. Madison (who follows in his steps) should wish to annihilate such an easy, agreeable, and popular source of revenue, is surely unaccountable; but that the nation should quietly submit to such proceeding would indeed be passing strange. The embargo, while it lasts, certainly annihilates every branch of foreign commerce carried on by the State; but it cannot be argued from thence that Mr. Jefferson or Mr. Madison aims at the total destruction of commerce. It has no doubt been the source of much altercation with the belligerents, but the United States still continued to prosper; and though the merchants and the government grumbled, and vociferated their complaints against the English and French outrages, still they filled their pockets and their treasury.<sup>49</sup>

In a further discussion of this subject, Lambert declared that if Jefferson's sole object had been the destruction of commerce, the embargo would not have been approved by so many merchants. Though they might find pleasure in revenging themselves on Great Britain, whose manufactures and commerce were "materially affected," he argued, it would be supposing more than Roman virtue "to believe them capable of sacrificing their best interests merely to annoy their political opponents, their own countrymen too!" He said that every merchant now supporting the administration measures of Jefferson and Madison, if asked concerning his willingness to give up commerce forever "to further Mr. Jefferson's *plans* for making the United States a *Chinese nation*," would reply in the negative. "Mr. Jefferson's great object," he concluded, "is to encourage the

<sup>48</sup> *Ibid.*, p. 65.

<sup>49</sup> *Ibid.*, p. 365.

agricultural interests of his country in preference to commerce and manufacture. . . <sup>50</sup>

David Ramsay, a friend of the administration, attributed the losses of commerce to the belligerent powers. He said:

The citizens of Carolina, conscious that they had given no just cause of offense to either, humbly hoped to be permitted to live in peace. But this boon was too great to be granted. Each of the nations at war endeavored to goad them into a quarrel with its respective adversary; and to compel them to do so, each hostile nation interdicted them and all Americans from trading with the other, and all its dependencies; thereby shutting them out from nine-tenths of the ports with which, by the law of nations, and of nature's God, they had a right to trade.<sup>51</sup>

With the enactment of the embargo act, he continued:

Coasting trade is all that throughout the year 1808 remained of an extensive commerce, which, though not two centuries old, had grown with such unexampled rapidity as to be second in the world. That year, which will be long remembered for the privations and sufferings resulting from a general embargo, was an eventful one, to the inhabitants of South Carolina. Their foreign trade was in a moment, and with little or no previous notice completely arrested.<sup>52</sup>

John Bristed, also a contemporary, pictured graphically the effects of the embargo policy in his book, published at London in 1818:

These 'restrictive energies' (as they were vauntingly called by Mr. Jefferson) not only annihilated the foreign commerce, but also very materially crippled the coasting trade of the United States. The distress, misery, and ruin, produced by this great agricultural scheme, not merely to the merchants, but to the farmers also (whose interests, it professed to subserve, but whose property it destroyed by taking away the markets for their produce), was so general, so deep, so intolerable, as to prove the entire fallacy of the theory. . . <sup>53</sup>

As previously indicated, numerous references might easily be made to secondary writers, but no writer whose book was published later than 1868 will be referred to here. There are various reasons for this. The early writers often knew the effects of the embargo from actual observation. All of them, it is to be

<sup>50</sup> *Ibid.*, pp. 366-367.

<sup>51</sup> *History of South Carolina*, Vol. II, p. 135.

<sup>52</sup> *Ibid.*, p. 135.

<sup>53</sup> *America and Her Resources*, p. 37. See also pp. 42, 43.

presumed, talked with people who lived in embargo times. Later writers obtained their material from the earlier writers, and their conclusions are generally the same.

E. Everett, writing in the *North American Review*, in 1826, declared that the embargo operated so severely on the commercial and agricultural interests and was so ineffectual as an instrument of coercion on foreign powers that it was repealed by law, on March 1, 1809, with regard to all countries save England and France.<sup>54</sup>

Richard Hildreth, in referring to the passage of the embargo and its effects, spoke of the encouragement of manufactures, the sowing and reaping of the farmers in hopes of better times, the storing of cotton and tobacco by the planters, the slight curtailment of imported luxuries through inability to buy, and then declared that a different state of things prevailed in New England, where there was much suffering and a prevalent belief that the administration acted as tools of France. With some feeling he declared:

The intrepid seamen, the adventurous and sagacious merchants, whose enterprise, in the course of fifteen years, had carried the flag of the United States to every corner of the globe; the men, who, notwithstanding constant belligerent interruptions and depredations, had raised their country to be the second commercial nation in the world, with a prospect of soon becoming the first—as they paced with melancholy steps the late busy streets in which grass was beginning to grow, and saw their good ships made to traverse the ocean, gloomily rotting at the wharves, cursed with vehement and bitter emphasis the stubborn folly of a pusillanimous government, which refused to the merchant and the sailor even the boon of taking their own risks and defending themselves; at the same time pompously pretending that this timid if not treacherous abandonment of the ocean was a dignified maintenance of maritime rights.<sup>55</sup>

T. C. Amory, who based his statements perhaps too exclusively on the writings of James Sullivan, declared:

Not many months elapsed after the passage of the embargo before New England began to experience all its deplorable consequences. . . Commercial adventure, carefully planned and rich in promise, had been stayed in the midst of preparation. The ships, which had whitened the ocean, rotted at the wharves. Valuable merchandise perishable by nature, decayed in the store-house. Merchants, who had grown old in successful enterprise,

<sup>54</sup> *North American Review*, Vol. 23, p. 391.

<sup>55</sup> *History of the United States*, Vol. VI, pp. 111, 112.

reduced to the verge of bankruptcy, unexpectedly found their families threatened with poverty, and their names with a discredit which commercial honor dreaded more than impoverishment. Before the embargo was raised, four-fifths of our commercial classes, according to tradition, became insolvent; and many of them, no bankrupt law existing, were unable to extricate themselves from their embarrassments, and passed the rest of their days in want and humiliation.

Those who relied upon the prosperity of trade for daily toil and subsistence were thrown out of employment; and charity, deprived of its ordinary resources, furnished inadequate relief to the numerous applicants. Luxuries from abroad, which from habit were indispensable to the aged and feeble, rose rapidly above the straitened means on which they depended. Real estate rapidly depreciated, grass grew amid the pavements of populous seaports, and the inhabitants, too disconsolate to be amused, passed their idle days in profitless regrets, or in angry vituperation at the originators of this wide-spread calamity.<sup>56</sup>

E. H. Derby, a writer in the *Atlantic Monthly* for 1861, also painted gloomy scenes of the effects of the embargo.<sup>56</sup> H. A. Garland described the effect of the embargo in this language:

An embargo is the most heroic remedy that can be applied to state diseases. It must soon run its course, and kill or cure in a short time. It is like one holding his breath to rush through flame or mephitic gas: the suspension may be endured for a short time, but the lungs at length must be inflated, even at the hazard of suffocation. Commerce is the breath that fills the lungs of a nation, and a total suspension of it is like taking away vital air from the human system; convulsions or death must soon follow. By the embargo, the farmer, the merchant, the mechanic, the capitalist, the ship owner, the sailor, and the day-laborer, found themselves suddenly arrested in their daily business. Crops were left to rot in the ware houses; ships in the docks; capital was compelled to seek new channels for investment, while labor was driven to every shift to keep from starvation.<sup>58</sup>

Edmund Quincy, son of Josiah Quincy, one of the characters in embargo times, is the only other writer who will be quoted. Naturally the views of the son were strongly colored by the words of his father, which have been frequently quoted in earlier chapters. Edmund Quincy wrote that the embargo was the nightmare of the New England States, which chilled the life blood of their industry, and checked its vital current with hopeless torpor.

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<sup>56</sup> Amory, T. C., *Life of James Sullivan with Selections from his Writings*, Vol. II, pp. 292, 293.

<sup>57</sup> *Atlantic Monthly*, Vol. VII, p. 726.

<sup>58</sup> Garland, H. A., *The Life of John Randolph of Roanoke*, p. 267.



It pressed upon all classes, paralyzing at once the capital of the rich and the day labor of the poor. Ships rotted at the wharves; handicrafts and industries dependent upon commerce perished with it; agriculture felt the general distress in the diminished demand for its productions; all trades and occupations suffered by sympathy with the destruction of the chief source of wealth and prosperity. The shadow of the Embargo fell upon every household, and darkened every fireside.<sup>59</sup>

The oppressive effects of the Embargo, [Quincy later added with more warmth, perhaps, than veracity,] were not confined to the Northern States, as its Southern supporters had supposed they would be. It recoiled on the grain raising and planting States so as to make itself severely felt by them. This was particularly the case with the Southern Atlantic States,—the cotton growing, rice planting, and tobacco-raising districts, which largely depended for their gains on an unrestricted trade.<sup>60</sup>

It is not the purpose of the writer to estimate the money cost of the embargo, for that can never be definitely known. A few conflicting citations should make that clear. After six months the loss was computed by the *Carlisle Herald* and the *New England Palladium* at forty-eight million dollars.<sup>61</sup> J. A. Bayard of Delaware declared in the Senate on February 14, 1809, that the national treasury had lost at least fifteen million dollars and the country not less than forty as the result of the embargo.<sup>62</sup> Some other embargo opponents, as Livermore of Massachusetts, speaking before a year of restriction had passed, estimated the annual loss as high as a hundred or a hundred and fifty million dollars.<sup>63</sup> The lower estimates quoted are probably nearer the truth. The cost of war was also very high. Both war and embargo costs ran far up into the millions, but neither can be accurately determined. When war did come, the same effects were apparent—stimulation to manufacturers, hindrance to agriculture, and ruin of commerce. It may be noted, however, that in every year of the War of 1812 save one (1814), the value of the exports from the United States was greater than in 1808. In 1814 they sank to \$6,927,441, or about a third of the \$22,430,960 in 1808.<sup>64</sup> Opponents of the embargo main-

<sup>59</sup> *Life of Josiah Quincy of Mass.* By his son Edmund Quincy, p. 138.

<sup>60</sup> *Ibid.*, p. 140.

<sup>61</sup> *New England Palladium*, July 5, 1808.

<sup>62</sup> *Annals of Congress*, Vol. 19, p. 404.

<sup>63</sup> *Ibid.*, Vol. 18, pp. 1850-1852.

<sup>64</sup> Pitkin, Timothy, *Statistical View*, pp. 36, 37.

tained, in many cases, that the measure was more costly than war would have been; friends of the embargo generally denied the statement. Even if the matter were susceptible of proof, questions might be raised with regard to the cost and chances of success of a war in 1808 as compared with 1812. The writer accordingly left out idle speculation on relative costs and tried in the main to determine how manufactures, agriculture, and commerce were affected.

In summary, it may be noted that the embargo effects showed a **blending of good and evil**. The demand for American manufactured goods increased, for, with the curtailment of foreign trade, many of our citizens had to buy at home or do without. Capital was accordingly transferred from commerce to manufactures. Unemployed sailors and fishermen frequently entered factories, or helped erect industrial plants or houses. Thus manufactures gained. The price paid, however, was too heavy a one. Many of the unemployed marines emigrated to Canada or took service under a foreign flag; many of those who remained at home merely swelled our charity or prison population. Without work and worried by the suffering of relatives, many undoubtedly entered a life of crime. Farmers in general suffered greatly, for with the foreign market gone and crops accumulating, agricultural products fell in value and with them went the land and slaves. With products well nigh unsalable and capital tied up in machinery, land, and permanent improvements, farmers could not readily turn to manufacturing. Many had gone into debt for their farms in the expectation that the proceeds of crops sold at the usual high prices would clear them of all indebtedness in a few short years, but naturally many lost their mortgaged farms. Though many a smuggler made a fortune through dishonesty, many a law-abiding merchant went bankrupt. Many thriving ports groaned uneasily under the blasting effects of the embargo; many involuntarily idle sailors and fishermen cursed with quiet or noisy vehemence while their families endured the agonies of hunger. Commerce, however, was not annihilated, though it was grievously injured.

If, in conclusion, the effects of the embargo on industry can be epitomized in one final sentence, that sentence will read: "The embargo stimulated manufactures, injured agriculture, and prostrated commerce."

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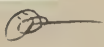
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